

Whistleblowing Policy

Whistleblowing is the term used when someone who works for an employer raises a concern about malpractice, risk, wrongdoing or possible illegality, which harms, or creates a risk of harm, to people who use the service, colleagues or the wider public.

Fylde Community Link is committed to achieving the highest possible standards of service. In order to achieve this standard staff are encouraged to use the Whistleblowing Policy to report any malpractice or illegal acts or omissions by people working for the Organisation.

This means that you should speak out if you have any concerns about inappropriate or unlawful conduct, financial mismanagement or poor practice and inappropriate behaviour. This policy is primarily for concerns where the interests of others or of the Organisation itself are at risk. If you are aggrieved about your personal position, you should use the [Grievance Procedure](#). If the concern is regarding a safeguarding issue, you should follow the reporting procedure in the [Safeguarding Policy](#).

The Board and Senior Management are committed to this policy and will ensure that anyone who raises a genuine concern under the Whistleblowing Policy will not be at risk of losing their job or suffering any form of retribution as a result. The Organisation will not tolerate the harassment or victimisation of anyone sincerely raising a concern.

This policy complies with the [Public Interest Disclosure Act 1998](#). This legislation states that a worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by their employer done on the ground that the worker has made a protected disclosure. To qualify as a “protected disclosure” the disclosure must satisfy a number of requirements:

1. The worker must have made a “qualifying disclosure”. This is a disclosure of information which, in the reasonable belief of the worker, tends to show one or more of the following:
 - a) That a criminal offence has been committed, is being committed, or is likely to be committed.
 - b) That a person has failed, is failing, or is likely to fail to comply with any legal obligation to which he or she is subject.
 - c) That a miscarriage of justice has occurred, is occurring, or is likely to occur.
 - d) That the health and safety of any individual has been, is being, or is likely to be endangered.
 - e) That the environment has been, is being, or is likely to be damaged.
 - f) That information tending to show any matter falling within any of the preceding paragraphs has been, or is likely to be deliberately concealed.
2. The qualifying disclosure must be made in the public interest.
3. The worker must make the qualifying disclosure to one of a number of “specified persons” set out in the [Public Interest Disclosure Act 1998](#), which include:
 - a) The employer or, if they reasonably believe that the failure relates solely or mainly to (i) the conduct of a person other than their employer or (ii) any other matter for which a person other than their employer has legal responsibility, that other person.

- b) A “prescribed person”, which includes regulators such as CQC. However, the worker must reasonably believe that the information disclosed and any allegation contained in it is substantially true.

This policy applies to all workers with Fylde Community Link. Workers are protected under the [Public Interest Disclosure Act 1998](#), and may apply to an Employment Tribunal for a remedy or compensation if they feel they have suffered bad treatment as a result of whistleblowing. Other workers who provide services to the Organisation, including visiting community health staff, GPs and contractors are also protected by the [Public Interest Disclosure Act 1998](#).

How to raise a concern

1. If you have a concern about malpractice or wrongdoing in the workplace, you should raise this in the first instance with your line manager. If this is not possible please speak to your senior manager. This may be done orally or in writing. If you are unsure about whether or not you should raise your concern you can contact the charity [Public Concern at Work](#) who provide a confidential helpline on 0207 404 6609. You would not be required to give your name or the name of the organisation and you would be given free advice from professionals.

You can also contact the [Whistleblowing Helpline for Health and Social Care](#) free on 08000 724 725 or by emailing enquiries@wbhelpline.org.uk.

2. If you feel unable to raise the matter with your line manager or senior manager, or believe that your concern is not being dealt with, please raise the matter with the Chief Executive Officer:

Chief Executive Officer
Fylde Community Link
19 Church Road
Lytham
Lancashire
FY8 5LH
01253 795648

ceo@fyldecommunitylink.org.uk

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

3. If you feel unable to raise the matter with your line manager, a senior manager or the Chief Executive Officer, please raise the matter with the Chair of the Board. The name of the current Chair can be obtained by contacting the Office on 01253 795648.
4. If you still feel that your concern has not been dealt with to your satisfaction you can contact:

Blackpool Council
PO Box 4

Blackpool
FY1 1NA

01253 477477

www.blackpool.gov.uk

or

Lancashire County Council
PO Box 78 County Hall
Fishergate
Preston
Lancashire
PR1 8XJ

0300 123 6701

www.lancashire.gov.uk

or

Care Quality Commission
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA

03000 616161

www.cqc.org.uk

5. You should always seek to resolve the problem internally and exhaust all internal procedures before raising your concern more widely. In circumstances where you feel that your concern has not been dealt with in a satisfactory manner by Fylde Community Link, your local authority or by the Care Quality Commission you may be able to raise your concern more widely, for instance with the police or your Member of Parliament. Caution should be taken as this is strictly regulated by law. You should seek advice prior to taking this step.

Raising a concern in confidence

It is recognised that someone may wish to raise a concern in confidence. If you ask the Organisation to protect your identity by keeping your confidence, the Organisation will ensure as far as possible that they respect your confidentiality and will not disclose your identity to anyone who does not need to know it. 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 this with you before proceeding.

Raising a concern anonymously

It is acknowledged that sometimes people may wish to raise concerns anonymously. If you do not provide your identity, it will be much more difficult to investigate the matter. We would be unable to protect your position or to give you a response. Accordingly, while the Organisation will consider anonymous reports, concerns being raised anonymously are discouraged.

False allegations

Fylde Community Link will ensure that any individual who sincerely raises a concern under the Whistleblowing Policy will not be at risk of losing their job or suffering any form of retribution as a result. The Organisation will not support anyone who maliciously makes a disclosure which they know to be untrue and disciplinary action may be taken against them. A worker who makes a disclosure which they know to be untrue will not be protected under the [Public Interest Disclosure Act 1998](#).

Handling of concerns

Once a concern has been reported, the Organisation will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. You will be contacted within 5 working days to acknowledge receipt of your concern and to advise you on who will be handling the matter, how they can be contacted and whether your further assistance will be needed. You will also be allocated a link officer who will check on your welfare at regular intervals. If you have requested it, 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 be best resolved. If you have any personal interest in the matter, you must mention this at the outset. If your concern falls more properly within the [Grievance Procedure](#) you will be advised of this.

If you request written confirmation of the outcome, we will write to you once the concern has been investigated. 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. You are also required to respect this confidentiality. Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will endeavour to handle the matter fairly and properly. By using this policy, you will help us to achieve this.

Compliance

Regular audits and reviews of documentation and practices take place in order to ensure compliance with this policy.

Review

This policy is reviewed at least annually or whenever there are changes to legislation or significant changes to processes, procedures and circumstances.

Relevant Legislation

[Employment Rights Act 1996](#)

[Public Interest Disclosure Act 1998](#)

[Enterprise and Regulatory Reform Act 2013](#)

Relevant Organisational Policies and Procedures

[Anti-Harassment and Bullying Policy](#)

[Commendations and Complaints Policy](#)

[Confidentiality Policy](#)

[Disciplinary Procedure and Action](#)

[Grievance Procedure](#)

[Safeguarding Policy](#)

[Training Policy](#)

Further Information

CQC- Whistleblowing: Guidance for providers who are registered with the Care Quality Commission (November 2013):

https://www.cqc.org.uk/sites/default/files/documents/20131107_100495_v5_00_whistleblowing_guidance_for_providers_registered_with_cqc.pdf

Public Concern at Work Website:

<http://www.pcaw.org.uk/>

Whistleblowing Helpline - Raising Concerns at Work – Whistleblowing Guidance for Workers and Employers in Health and Social Care (April 2014):

<http://www.wbhelpline.org.uk/wp-content/uploads/2014/04/Raising-Concerns-at-Work.pdf>

Whistleblowing Helpline Website:

<http://wbhelpline.org.uk/>