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Shared Services
Partnership**

**NHS Wales Shared Service Partnership (NWSSP)
(On behalf of Velindre NHS Trust)**

Speaking Up Safely Policy

Independent Member	Chair of the Partnership Committee
Executive Sponsor & Function:	Director of People and Organisational Development with significant support from the Medical Director
Document Author:	Head of People Services
Approved by:	Senior Leadership Group
Approval Date:	24/04/2025
Date of Equality Impact Assessment:	06/05/2025
Equality Impact Assessment Outcome:	Approved
Review Date:	Prompted by changes in legislation, learning from best practice or by feedback provided from people using the policy
Version:	7
NWSSP LPF Approval Date:	07/05/2025

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1 Policy Statement

NHS Wales Shared Services Partnership (NWSSP) is an independent mutual organisation, owned and directed by NHS Wales.

The purpose of this policy is to translate the requirements within the Speaking Up Safely Framework into practice for NWSSP, and to set out the processes in place to support effective and successful implementation of the Framework.

This includes an outline of the governance arrangements relating to the management and oversight of Speaking up Safely within NWSSP and guidance and support for staff on how to speak up safely. This includes all staff employed under the Single Lead Employer (SLE) arrangement.

The policy is designed to reflect our cultural aim of ensuring all staff can understand the mechanisms to raise complaints and concerns. The policy accommodates all types of complaints and sets out the process by which complaints made are matched to and progressed in accordance with the appropriate policy.

2 Scope of Policy

This policy applies nationally to all NWSSP staff, students, trainees and volunteers . It also includes employees who work on NWSSP premises but are not directly employed by the organisation.

By speaking up at work you will be playing a vital role in helping us to keep improving our services for all stakeholders, including patients, across Wales and the working environment of our staff.

We want to hear about any concerns you have, whichever part of the organisation you work in. We know some groups in our workforce feel they are seldom heard or are reluctant to speak up and we also know that this is intensified for workers with disabilities, from a minority ethnic background, the LGBTQ+ community and the Welsh Speaking community, so it is important that all staff know this policy applies to them.

3 The Policy Aims and Objectives

All NHS Wales organisations are required to adopt and implement the principles of the Speaking Up Safely Framework. The aim of this Policy is to translate the Framework so that staff can understand the approach and how to speak up about anything that gets in the way of delivering safe, high-quality care or which negatively affects their experience.

The Framework and this Policy supports, rather than replaces existing Policies such as:

- Procedure for NHS Staff to Raise Concerns
- NHS Wales Policy: Respect and Resolution
- Welsh Government Law: The Health and Social Care (Quality and Engagement) (Wales) Act
- UK healthcare regulation: e.g. codes of practice provided by the NMC, HCPC and GMC
- UK Law: Public Interest Disclosure Act 1998 (also known as Whistleblowing)

The relevant internal policies and contact details can be found on the NWSSP intranet pages.

4 Equality Impact Assessment Statement

NWSSP is committed to ensuring that, as far as is reasonably practicable, the way it provides services to the public and the way it treats its employees reflects their individual needs and does not discriminate against individuals or groups.

NWSSP has undertaken an Equality Impact Integrated Assessment (EQIIA) and a Welsh Language assessment and received feedback on this policy and the way it operates. NWSSP wanted to know of any possible or actual impact that this policy may have on any groups in respect of any protected characteristics.

The assessment found that there was no impact to the equality groups mentioned and this policy will have a positive impact on all the 'protected characteristic' groups. Where appropriate NWSSP will make plans for the necessary actions required to minimise any stated impact to ensure that it meets its responsibilities under the equalities and human rights legislation.

5 Handling Illegal Activities and Police Involvement

When a concern raised involves allegations of illegal activities, NWSSP will take all necessary steps to ensure the matter is managed appropriately and lawfully. This may include engaging external authorities such as the police, where required, to investigate the issue thoroughly. Staff who report such concerns will be kept informed of the progress of the investigation as far as confidentiality and legal constraints permit. Feedback will focus on reassuring individuals that their concerns are taken seriously and handled with the utmost integrity. In cases where full disclosure to the individual is not possible due to legal or operational reasons, this will be communicated clearly, ensuring transparency about the limitations of feedback.

6 Principles

6.1 Speaking Up Safely Principles

- All those engaged within NWSSP have a contractual right and duty to raise genuine concerns. Staff may also have a duty imposed on them via their respective regulatory bodies.
- NWSSP must consciously create a culture of Speaking Up Safely to continuously improve.
- This Policy will ensure everyone knows how to raise a concern and the process to follow.
- People and OD will arrange interpreters where needed (e.g., BSL) and ensure bilingual records are available, complying with the Welsh Language Policy.
- The People and OD Business Partners and our Trade Union representatives can support in circumstances where you are unsure as to how or whether you should raise a concern.
- You only need a reasonable belief that something has happened to raise a concern and you should raise a concern at the earliest opportunity.
- Those that raise a concern are not expected to investigate the matter themselves.
- Matters raised will be reviewed thoroughly, promptly, and confidentially and whoever raised the concern will receive appropriate feedback, wherever possible.
- Concerns can be raised anonymously and identities will not be revealed without consent, unless required to do so to conclude the matter or by law. This will always be discussed with the individual concerned.
- All staff will be afforded the opportunity to discuss the Speaking Up Safely process as part of their Performance and Development Review (PADR).

6.2 Implied Principles

- NWSSP is committed to fostering a culture where speaking up is not only safe but also expected and encouraged as a professional responsibility.
- Staff are empowered and supported to raise concerns, knowing they will be taken seriously and addressed without fear of reprisal. This culture of openness and accountability is integral to our values, and all employees are expected to contribute by speaking up promptly about issues that affect safety, care quality, or workplace wellbeing.
- Leaders and managers are expected to lead by example, actively promoting this culture and ensuring that all concerns are met with respect and action.
- It is the right of all employees subject to this policy to be treated fairly and with dignity and respect. This includes raising a concern about any matter through the medium of Welsh or English
- The promotion of the fair and equal treatment of all employees and the elimination of discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- Raising a concern in Welsh, will not be treated any less favourably than if it had been raised in English.
- Ensuring that those whose first language is not Welsh or English are able to speak up safely and are able to fully participate in the processes. As part of this commitment, we will proactively identify the range of first languages spoken by our staff through workforce surveys and data collection initiatives. This information will be used to inform the provision of appropriate language support, such as interpreters or translated materials, to ensure all staff feel confident and empowered to engage with the Speaking Up Safely process. We will also build this consideration into our processes to guarantee that linguistic diversity is accommodated effectively and equitably.
- Victimisation or harassment towards those who Speak Up Safely will not be tolerated and will be considered a serious disciplinary offence, as will any action to cover up or willfully ignore concerns. The Disciplinary policy is linked below:

[Disciplinary Policy](#)

- No one will experience a personal or professional detriment if they do raise a concern and support will be provided in all cases.
- Anyone expected to respond to concerns raised has the necessary support and training to do so.

7 Awareness

Employees will be made aware of the Speaking Up Safely Policy and its significance through a range of communication channels, including team meetings, internal communications, and during induction for new starters.

Leaders and managers have a specific responsibility to disseminate the policy within their teams, ensuring that all staff understand their rights and responsibilities under it.

Additionally, tailored information will be provided to those working under the Single Lead Employer (SLE) model.

Updates or changes to the policy will be communicated promptly, and all employees are encouraged to familiarise themselves with its content to fully understand their responsibilities in fostering a safe and open workplace.

8 Definitions

8.1 Speaking Up Safely

You can speak up about anything that gets in the way of patient care or affects your working life. That could be something which doesn't feel right to you, for example:

- a way of working or a process that isn't being followed.
- you feel you are being discriminated against.
- you feel the behaviours of others is affecting your wellbeing, your colleagues', or patients.

Speaking up Safely is about all these things. Speaking Up Safely, therefore, captures a range of issues, some of which may be appropriate for other existing processes, for example, People and OD (Human Resources) Policies. As an organisation, we will listen and work with you to identify the most appropriate way of responding to the issue you raise.

8.2 Whistleblowing

The term "whistleblowing" refers to the protected disclosure by staff working at NWSSP or concerns in the workplace. A protected disclosure under the Public Interest Disclosure Act 1998 amended 25 June 2013 sets out circumstances in which disclosures of information are protected. More information can be found in **Appendix 1**.

They must be in the public interest and the worker must have a reasonable belief that the disclosure is substantially true.

Any such disclosure must relate to one of the following six relevant failures:

1. Criminal offences
2. Breach of legal obligations
3. Miscarriage of justice
4. Danger to health and safety of any individual
5. Damage to the environment.
6. Deliberate concealing of information regarding any of the above

8.3 The difference between Speaking Up Safely and Whistleblowing

Whistleblowing has come to be accepted as the disclosure by an employee of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employer or of fellow employees.

However, Speaking Up Safely means staff can speak up about anything that gets in the way of high-quality effective care, or that affects their working life. There are many channels for speaking up about anything that gets in the way of delivering safe and high-quality care or affects your experience in the workplace at NWSSP. Speaking up is something that should happen as 'business as usual'.

Speaking up Safely can take many forms, from a quick discussion with a line manager/clinical or educational supervisor, or an improvement idea through staff suggestion scheme, to raising an issue formally under this policy or bringing a matter to the attention of a regulator.

The default position is that we will share the outcome with you. However, there may be some legal reasons why the outcome cannot be shared, for example an ongoing police investigation or safeguarding concerns.

9 What you can expect

The matter you raise may be best considered under a specific existing policy/process; for example, our process for dealing with bullying and harassment under the Respect and Resolution policy. If so, we will discuss that with you. If you speak up about something that does not fall into a People and OD (Human Resources) or safety incident process, this policy ensures that the matter is still addressed.

What you can expect to happen after speaking up is shown in **Appendix 2**.

We expect our leaders to listen to the issue you raise and take action to resolve it wherever possible. In most cases, it's important that this opportunity is fully explored, which may be with early resolution conversations, conflict coaching and/or mediation.

Where an investigation is required, it will be conducted objectively by a suitably qualified and independent investigator. If requested, the biography or relevant credentials of the investigator will be disclosed to the individual raising the concern, ensuring transparency and mutual agreement on their suitability. The investigation will aim to reach a conclusion within a reasonable timescale, which will be communicated at the outset, along with regular updates if there are delays. A comprehensive report will be produced, identifying any issues and recommending actions to prevent recurrence. Any employment issues related to capability or conduct that arise during the investigation will be addressed through separate processes to ensure fair and appropriate handling. Any employment issues that have implications for capability or conduct identified during the investigation will be considered separately.

Anonymous Reporting

NWSSP recognizes that some staff may prefer to raise concerns anonymously. Anonymous reporting is welcomed, and all reasonable efforts will be made to investigate and address the issue raised. However, it is important to note that anonymity may limit the ability to gather further information, provide feedback, or offer support to the individual raising the concern. Where an anonymous concern is raised, the organisation will act on the information provided to the fullest extent possible, balancing the need for confidentiality with the requirement for a thorough and fair resolution. The organisation will provide an anonymous reporting system for those who choose this route. Currently the organization has an Microsoft form for those wishing to report anonymously. The link to this form is below:

<https://forms.office.com/e/u1xXdJ0WAB>

Specific Considerations for Single Lead Employer (SLE) Trainees

For trainees under the SLE model, a tailored process is in place to address concerns effectively. When a trainee raises an issue, it will be handled in collaboration with HEIW or other relevant educational/clinical supervisor to ensure a resolution that considers their unique training and placement circumstances. Early resolution approaches, such as conflict coaching, mediation, or facilitated discussions, will be offered wherever appropriate. Trainees can also access support from wellbeing champions or mentors to navigate the process. The aim is to

ensure trainees feel supported and that concerns are resolved without impacting their educational experience or career progression.

10 How can I Speak Up Safely?

The need for Speaking Up Safely is a vital component for any NHS organisational culture and highlighted in the Francis Report (2015) and more recently the Ockenden Report 2022.

NWSSP is committed to embedding Speaking Up Safely as part of our Culture. To do this we have implemented various mechanisms to enable staff to feel safe and comfortable to Speak Up.

The process for Speaking Up Safely can be seen in **Appendix 3**.

11 Roles and Responsibilities

11.1 Executive Champion/Sponsor roles

The Executive Champion and Sponsors are responsible for ensuring concerns are dealt with in a manner which ensures that the highest quality of service is provided. You can find out who the Executive Champion and Sponsors are on our Intranet.

11.2 Managers and Clinical/Educational Supervisors

Managers and Clinician/Educational Supervisors are responsible for:

- Creating and providing a psychologically safe environment for all employees and trainees
- Participating in any development programmes provided to support a psychologically safe environment.
- Behaving in accordance with NWSSP values.
- Formal acknowledgement of your concern and responding within 28 days.
- Ensuring that all staff are advised of this policy and where they can access it.
- Undertaking any training provided.
- Considering concerns fully and compassionately, identifying and removing any barriers.
- Recognising that raising concerns in the first instance can be a difficult experience and providing advice and support.
- Seeking advice and support from the People and OD Wellbeing Team or your NWSSP Wellbeing Champions when this is appropriate. If you are a Trainee in the SLE Model you can also access PSU etc.
- Providing feedback to the individual or group who speak up.
- Encouraging early resolution of concerns, including mediation if appropriate.
- Notifying the People and OD Business Partnering team when a complaint is raised under this policy and ensure that the matter is progressed through this policy in a consistent and timely manner.

11.3 All Staff

All Staff are responsible for:

- Behaving in accordance with NWSSP values
- Ensuring that they have read and understood this policy and its requirements.
- Raising any concerns.
- Actively considering any suggestions made for early resolution.

- Clearly setting out in writing the nature of any formal complaint, together with the outcome the member of staff is seeking, in sufficient detail to allow for a full and fair consideration of the facts.
- Consider if anyone else was involved or aware of the concern/incident.
- Ensuring that they do not act in a false or malicious manner when raising a concern, and not to raise a concern to avoid reasonable management action.
- Respecting confidentiality of staff partners and patients and observing NWSSP Information Governance policies and procedures.

11.4 People and OD

People and OD are responsible for:

- Ensuring that the appropriate policy or procedure is applied to the concern raised
- Escalating concerns raised appropriately
- Behaving in accordance with NWSSP values
- Ensuring that the appropriate policy and procedure is being applied to the concern raised
- Escalating issues of concern appropriately
- Providing advice to managers and staff on the application of this policy.
- Providing support to managers when addressing issues under this policy.
- Provision of learning and development to support the implementation, application and awareness of this policy.
- Supporting any Organisational development interventions that are required.
- Ensuring that appropriate records are maintained.
- Advising staff of their right to be accompanied by a colleague or Trade Union representative at any formal and appeal stages of a concern appropriately.
- Organising any interpreters as required such as, BSL interpreters, language interpreters
- Noting any notes of meetings in Welsh or English or other language.

11.5 NWSSP Speaking Up Safely Lead

The Speaking Up Safely Lead is responsible for:

- Behaving in accordance with NWSSP values
- Providing advice to managers and staff on the application of this policy.
- Providing support to managers when addressing issues under this policy.
- Ensuring that appropriate records are maintained and regular reporting takes place to provide information to support improvements.
- Advising individuals on their choice of options for resolution for their concern including early resolution or formal routes, mediation, and confidential escalation.
- Providing a clear escalation process for all issues to protect the organisation and staff.
- Holding meetings on or off site in person or by phone, email or range of digital platforms.
- Maintaining full privacy and confidentiality in line with privacy and confidentiality measures that are well established within the organisation.
- Working with the Welsh language unit for Welsh language support as and when required. The staff within the Welsh language unit will uphold all privacy and confidentiality in line with their own internal Information Governance policy and training.

11.6 Trades Union / Professional Organisation Representative

Trade Unions/Professional Representatives are responsible for:

- Behaving in accordance with NWSSP values.
- Supporting their members and attending meetings with them.
- Working with the People and OD Department to address any concerns they may have regarding NWSSP's and/or colleague adherence to the provisions of this policy, seeking to resolve any issues of concern, informally where possible.

Trade Unions/Professional Representatives should also note:

- Trade Union/Professional Representatives who raise concerns through this policy will be offered support by their trade union or their professional organisation.
- Other employees will be able to ask a workplace colleague to provide support.

12 Tripartite Responsibilities for Single Lead Employer (SLE)

Addressing concerns raised by Single Lead Employer (SLE) trainees requires a collaborative approach between NWSSP, the trainee's employing health board, and Health Education Improvement Wales (HEIW). The responsibilities are explained as follows:

12.1 NWSSP Responsibilities

- Facilitating the speaking-up process by providing accessible resources and guidance for trainees.
- Acting as a central point of contact to ensure concerns are escalated appropriately within the tripartite framework.
- Ensuring the trainee is supported throughout the process, offering access to wellbeing champions and other resources.

12.2 Health Board Responsibilities

- Managers employed by the local health board are responsible for handling concerns related to day-to-day management, clinical practice, and workplace environment.
- Providing a psychologically safe environment for trainees to raise issues and participate in early resolution strategies, such as mediation or facilitated discussions.
- Escalating complex or unresolved concerns to NWSSP or HEIW as appropriate.

12.3 HEIW Responsibilities

- Addressing educational and training-related aspects of any concern raised.
- Providing additional guidance and support to the trainee to ensure their career progression and training needs are safeguarded.
- Collaborating with NWSSP and the health board to achieve a resolution that balances workplace needs with educational requirements.

The process for SLE Staff to Speak Up Safely can be seen in **Appendix 4**.

13 Confidentiality

The most important aspect of speaking up is the information you can provide, not your identity. You have a choice about how you speak up:

- **Openly:** you are happy that the person you speak up to knows your identity and that they can share this with anyone else involved in responding.
- **Confidentially:** you are happy to reveal your identity to the person you choose to speak up to on the condition that they will not share this without your consent.
- **Anonymously:** you do not want to reveal your identity to anyone. If you choose to raise a concern anonymously, we are committed to acting on the information provided to the fullest extent possible. While anonymity may limit direct communication, we will use the details shared to address the issue effectively. To help us resolve your concern, we encourage you to provide as much detailed information as possible about the matter. Although remaining anonymous means we may not be able to offer you tailored support or provide feedback on the outcome, please know that every effort will be made to ensure your concern is taken seriously and handled appropriately.

14 Communicating with you

We will always treat you with respect. We will discuss the issues with you to ensure we understand exactly what you are worried about. If we decide to investigate, we will tell you how long we expect the investigation to take and agree with you how to keep you up to date with its progress. Wherever possible we will share what we can with you (while respecting the confidentiality of others and recognising that some matters may be strictly confidential; as such it may be that we cannot share the outcome with you).

15 Training requirements

We ask that everyone undertake online Speaking Up Safely training. This will be made available internally.

15.1 Speaking Up Safely Internally

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. We strive for a culture where that is normal, everyday practice and encourage you to explore this option – it may well be the easiest and simplest way of resolving matters.

However, you have other options in terms of who you can speak up to, depending on what feels most appropriate to you:

- Utilising the Online Reporting Platform
- NWSSP's Speaking Up Safely Lead
- A senior manager or the director with responsibility for the subject matter you are speaking up about
- Directors responsible for Quality or Safety in NWSSP (Medical Director)
- The Executive Sponsor or Independent Champion
- Staff Surveys
- Your People and OD team
- Trade Union Partners or Professional Representatives

- Your line manager or supervisor
- Head of Welsh Language Services and Compliance

If you are not sure who to speak up to in relation to your specific concern, you can find more information in **Appendix 5**.

15.2 Speaking Up Safely Externally

If you do not want to speak up to someone within your organisation, you can speak up externally to:

- Your Local Counter Fraud Manager where concerns relate to fraud, bribery or corruption.
- NHS Counter Fraud Authority for concerns about fraud and corruption, using their online reporting form or calling their freephone 0800 028 4060.
- If you would like to speak up about an employee you should raise the matter via the appropriate internal process. Although we would always recommend that concerns are raised internally in the first instance, you can contact the General Medical Council, Nursing and Midwifery Council, Health & Care Professions Council, General Dental Council, General Optical Council or General Pharmaceutical Council.
- Audit Wales if the concern relates to the proper conduct of public business, value for money, fraud and corruption in relation to public services.

15.3 What to do if Someone has Spoken Up to you

There are several areas to consider when someone speaks up to you to ensure you approach the conversation in the right way:

1. Recognition and Validation of the Courage to Speak Up.

They have chosen to trust you and you should reassure them that you are there to listen and agree what happens next. Validation does not mean you necessarily agree with them, it simply means you understand the impact their view and experience has had on them.

2. Non judgementally and actively listening to the concerns raised.

Using a private confidential space demonstrate that you are listening and understanding what is being shared. Be open to their concerns without becoming defensive and do not dismiss them if you don't agree with their perspective.

3. Position of Power

Be aware of your own position of power and try to minimise these dynamics to enable the person to feel comfortable.

4. Provision of Support

Provide support or signpost them to the relevant advice and guidance. Remember that you don't have all the answers and you may not have the power to implement the changes the person wishes to see.

5. Actions required

Agree how often and how you will keep in touch and advise on any actions you can immediately implement. Escalate other actions through appropriate channels.

6. Feedback

Always feedback so that the person who raised the concerns knows that they have been heard.

15.4 Line Manager Steps

As a Line Manager there are also several important steps you should take:

1. Once the concern has been raised, consider how the person wants it dealt with. If you need to involve anybody else in the process, do so at this point. Or deal with it yourself if possible.
2. Listen to the concern that is being raised. If the concern is related to the abuse of children or adults with vulnerabilities, the Safeguarding Wales Processes should be followed.
3. Once it has been raised, it is important you communicate regularly with the individual to inform them of the outcome or action you have taken because of the concern being raised. You should also consider how you will share any learning about the concern more widely.
4. If the issue is not within your ability to be managed, this should be clearly communicated with the individual.
5. Once the outcome of the concern has been discussed with the individual, they should be informed of the other ways available to them to raise the concern if they are not satisfied with the outcome, as per the Line Managers Process which can be seen in **Appendix 5**.

16 How we Learn from you Speaking Up Safely

We want speaking up to improve the services we provide for partners, patients, and the environment our staff work in. Where it identifies improvements that can be made, we will ensure necessary changes are made and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

17 Policy Oversight

Our most senior leaders will receive a report at least annually providing a thematic overview of speaking up by our staff.

18 Policy Review

All policies are subject to ongoing review to ensure they are entirely compliant with all aspects of equalities and human rights legislation, best practice and employment law. This policy will be subject to full review at intervals to be determined by NWSSP's Local Partnership Forum.

19 Help and Advice

Help and advice on the application of this policy can be obtained from the People and OD Team. NWSSP staff should refer any queries to nwssp.peopleandod@wales.nhs.uk

[You can access our Health and Wellbeing Centre by clicking here.](#)

Your local staff networks and Trade Union / Professional Representatives can also be a valuable source of support. [Working in Partnership with Trade Unions](#)

[Speak Up Direct](#) provides free, independent, confidential advice on the speaking up process.

The charity [Protect](#) provides confidential and legal advice on speaking up.

The Trades Union Congress provides information on how to join a trade union/ TUC stance, including on early conciliation regarding employment disputes.

[Acas | Making working life better for everyone in Britain](#)

[Join a union | TUC](#)

20 Further Resources

- Healthcare Inspectorate Wales Guidance on Speaking Up: <https://hiw.org.uk/speaking-keep-people-safe>
- Health Education Improvement Wales: Compassionate Leadership Principles <https://nhs.wales/leadershipportal.heiw.wales/compassionate-leadership>
- NHS Wales Respect and Resolution Policy and Processes: <https://heiw.nhs.wales/files/programmes-resources/respect-and-resolution-at-work-policy/>
HEIW – Healthy Working Relationships: <https://nhs.wales/leadershipportal.heiw.wales/healthy-working-relationships>
- Just and Restorative Culture: NHS England - A just culture guide [NHS England » A just culture guide](#)
- The Mersey Care Just and Learning Culture [Restorative Just and Learning Culture :: Mersey Care NHS Foundation Trust](#)
- Epistemic Injustice : Epistemic Injustice | Department of Philosophy | University of Bristol [Epistemic Injustice | Department of Philosophy | University of Bristol](#)
- BMJ Research Article on Speaking Up and Culture within the NHS: Interprofessional model on speaking up behaviour in healthcare professionals: a qualitative study | BMJ Leader [‘Speaking Up’ for patient safety and staff well-being: a qualitative study | BMJ Open Quality](#)

21 Agreement

The policy has been agreed in partnership and has been ratified by NWSSP’s Local Partnership Forum.

22 Related Policies

- Procedure for NHS Staff to Raise Concerns
- NHS Wales Policy: Respect and Resolution
- Health and Safety Policy
- RIDDOR

23 Appendices

- 1. Information about making a protected disclosure**
- 2. What you can expect to happen after Speaking Up Safely**
- 3. General Speaking Up Safely Process for NWSSP Staff**
- 4. Speaking Up Safely Process for SLE Trainees**
- 5. Line Managers Process for Speaking Up**
- 6. Internal Leads Contact Details**
- 7. Answers to your Frequently Asked Questions (FAQs)**

Appendix 1 - Information about making a protected disclosure.

Whistleblowing is the action someone takes to report wrongdoing at work that affects others. For example, it could affect the general public. Legally this is known as 'making a disclosure in the public interest'. The action of whistleblowing is sometimes called 'blowing the whistle'.

Who is protected by law

By law, most people are protected if they make a qualifying disclosure. This includes:

- workers
- employees
- agency workers
- apprentices
- NHS practitioners
- student nurses
- student midwives
- police
- office holders
- self-employed doctors, dentists, ophthalmologists and pharmacists working in the NHS

Protection starts from the beginning of employment. People are still protected even if they no longer work for the employer they're making a disclosure about.

Who is not protected by law

People are not usually protected in law if they're:

- genuinely self-employed
- a volunteer with no enforceable employment contract
- a non-executive director
- a member of the armed forces
- a solicitor or barrister learning about an issue covered by professional privilege
- a crown employee dealing with national security – for example, people who work for MI5, MI6 or GCHQ

What the law protects whistleblowers from

By law (the Public Interest Disclosure Act 1998), whistleblowers are protected from:

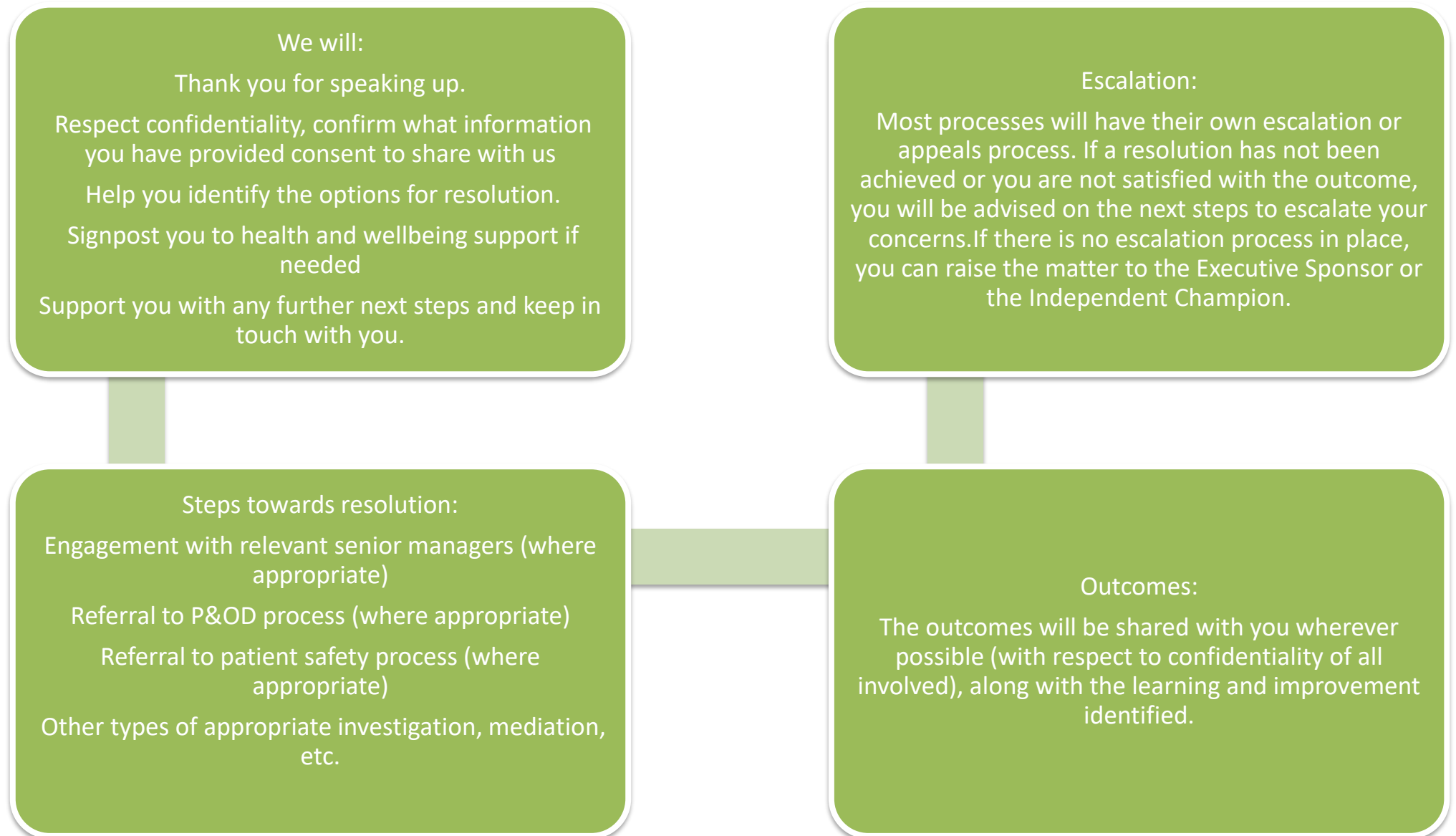
- **Unfair dismissal**
If someone is dismissed for whistleblowing, it will be treated as an automatic unfair dismissal
- **Detriment.**
Detriment means someone experiences one or both of the following because they made a disclosure:
 - being treated worse than before
 - having their situation made worse
- **Examples of detriment could be:**
 - their employer reduces their hours
 - they experience bullying or harassment
 - their employer turns down their training requests without good reason

How whistleblowers can claim protection

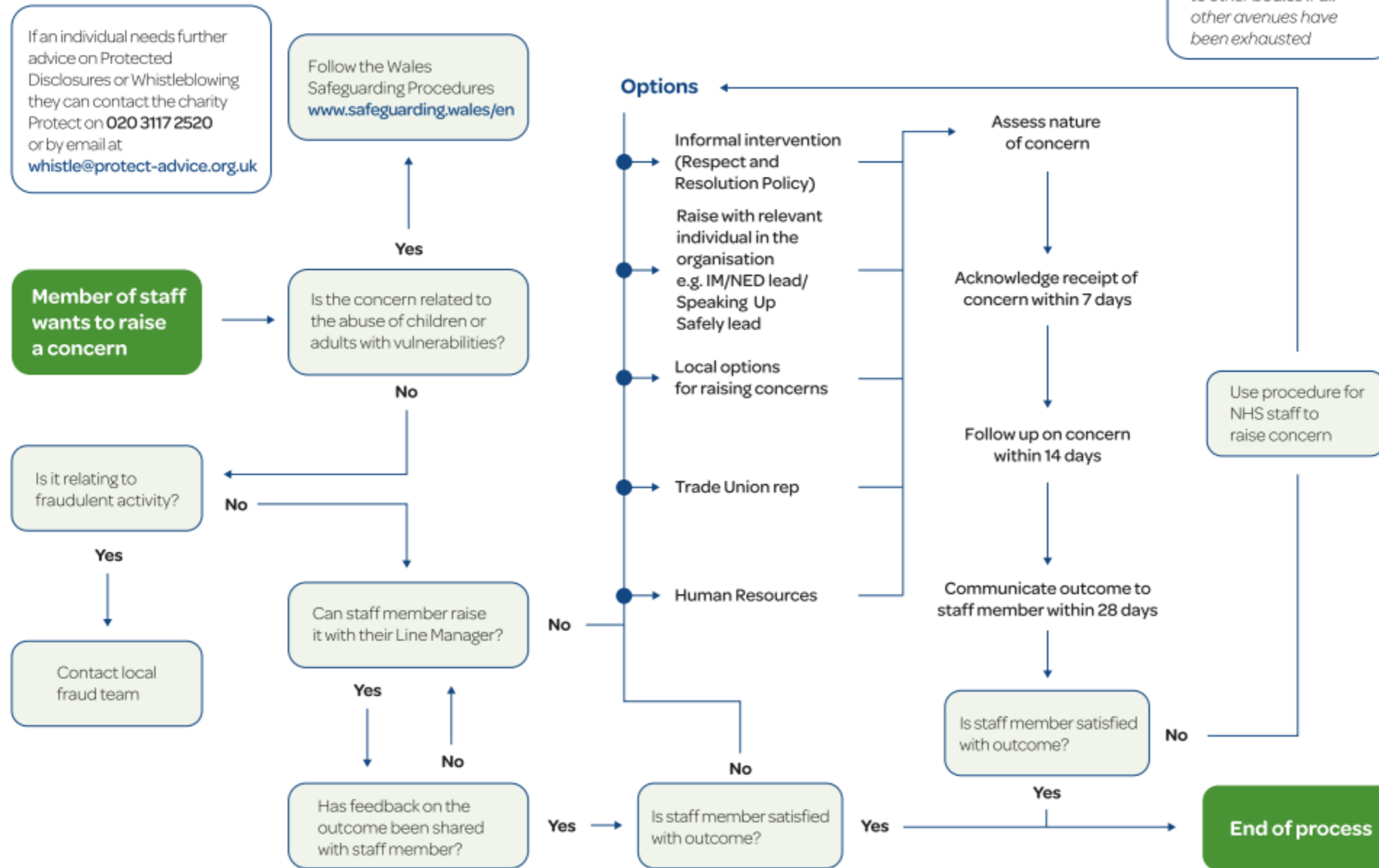
To claim protection, whistleblowers must show they:

- made a qualifying disclosure
- were dismissed or suffered a detriment as a result of making the disclosure

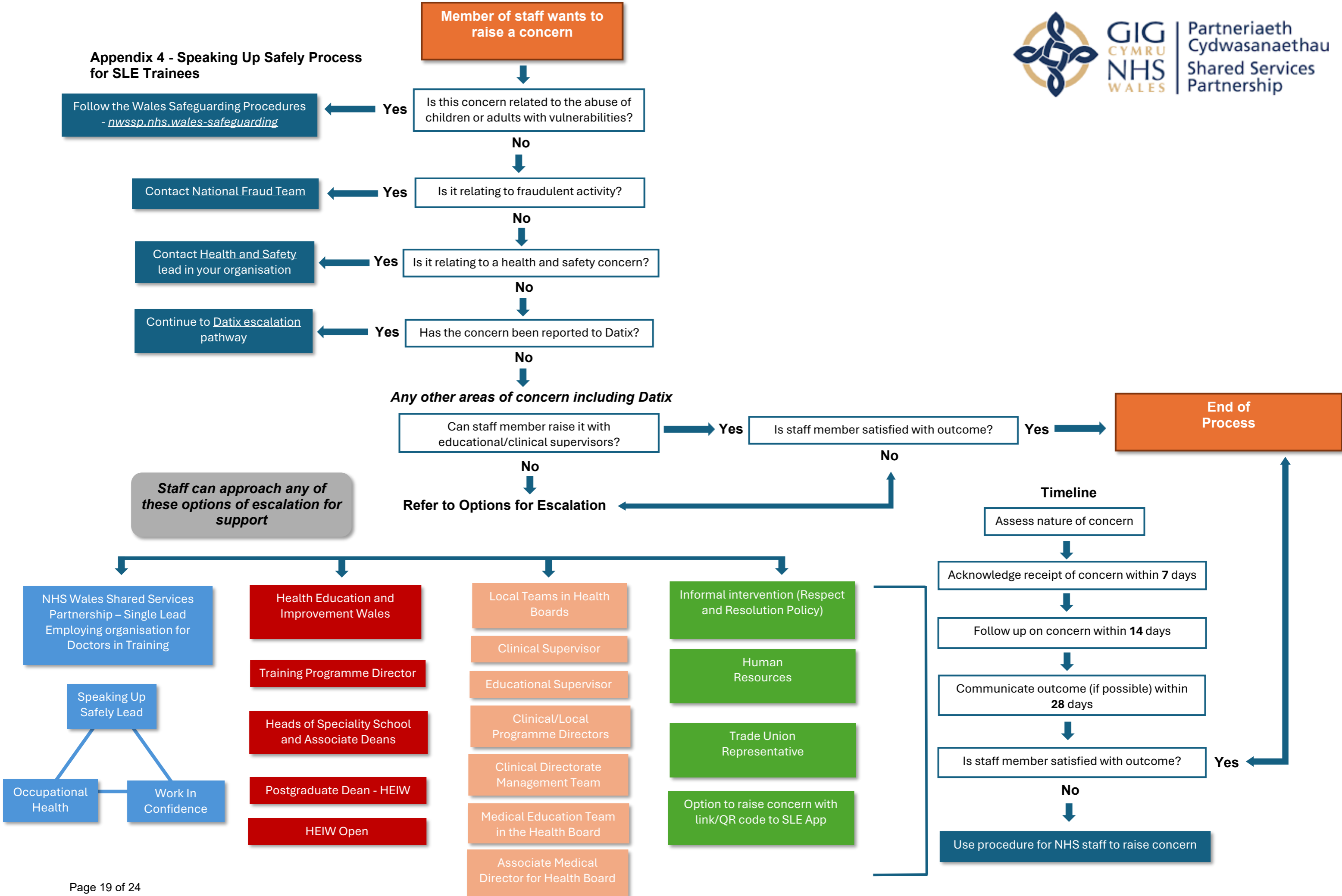
Appendix 2 – What will happen when I speak up?



Speaking Up Safely Process



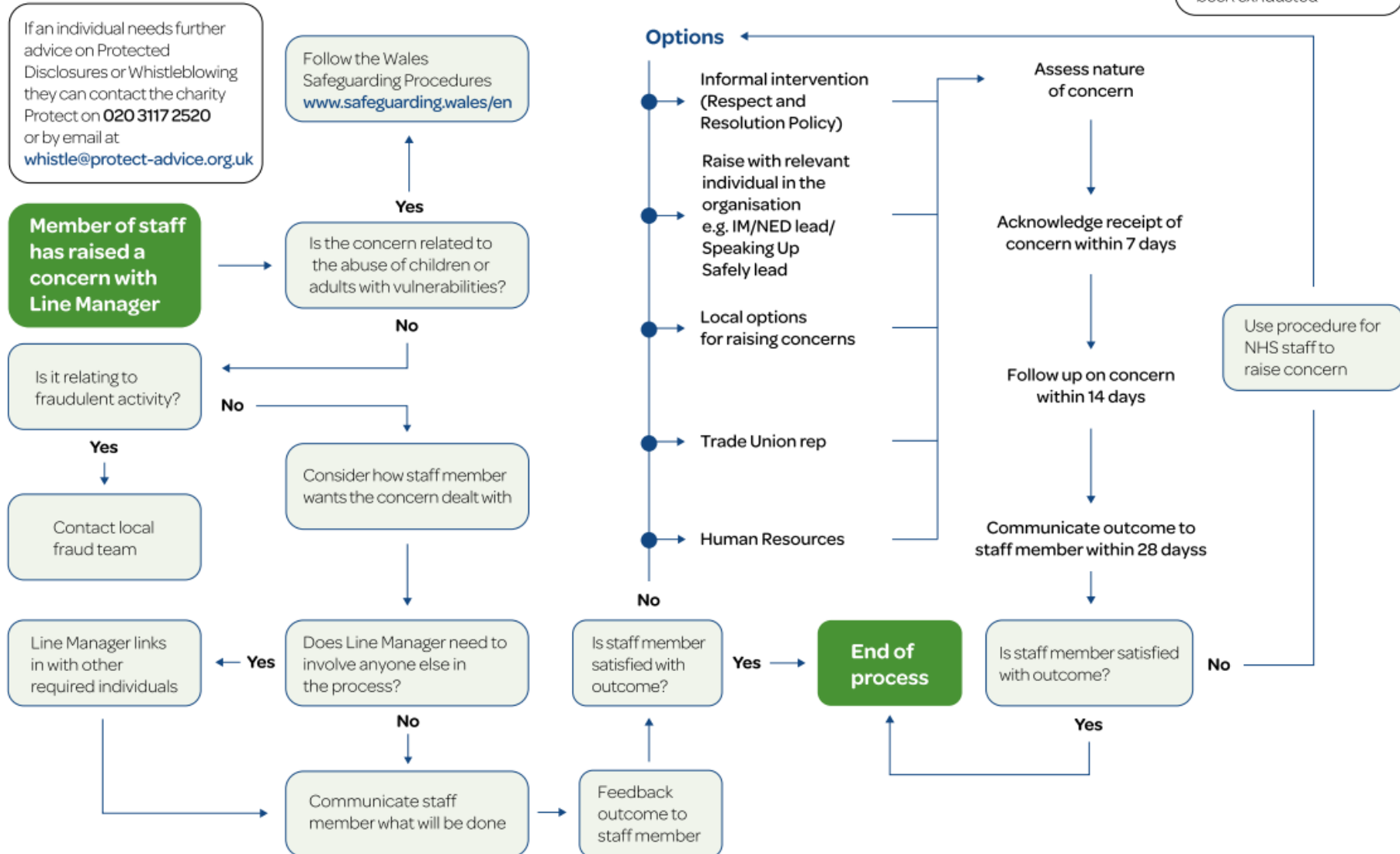
Appendix 4 - Speaking Up Safely Process for SLE Trainees



Appendix 4 - Line Manager Process

Speaking Up Safely Process

Line Managers Process



Appendix 5 – List of Internal Leads

Compliance to the Welsh Language Standards	Non Richards
Information Governance and Confidentiality	Tim Knifton
Cyber Security concerns	Nick Lewis
Health and Safety	Paula Jones
Fraud matters	Mark Weston
Internal Audit	Simon Cookson
Corporate Governance	James Quance
Safeguarding Lead	Fiona.Davies (Fiona. Davies5@wales.nhs.uk)
Speaking Up Safely Lead	Louise Moorman

Appendix 6 - FAQs

Frequently Asked Questions

1. I have a concern, and I need to speak to someone, who do I tell?

Staff should be able to raise concerns with their line manager during routine discussions on service delivery and patient care, (e.g. problem-solving, service review, performance improvement, quality assessment, training, and development) as these are the most effective mechanisms for early warning of concerns, wrongdoing, malpractice or risks. Line managers are best placed to act on, deal with and resolve such concerns at an early stage. However, in some circumstances, this may not be appropriate, for instance if the concern is about them, then there are other methods you can use to raise a concern if you cannot speak to your line manager.

You can raise your concern with your educational supervisor, Single Lead Employer within NHS Wales Shared Services Partnership (NWSSP), People and Organisational Development Services, or through the anonymous reporting platform. Your concern should be reported through the most relevant channel, for instance if it involves a safeguarding issue, then refer to the Safeguarding Team within your organisation; or if there are concerns surrounding fraud, you can contact the National Fraud Team.

2. What support can I access when I want to raise a concern

Trade/professional unions (TUs) – these can provide support, advocacy and representation at all stages.

Well-being support – refer to your local well-being support services within your organisation, which can be found on local intranet, or via your line manager/TUs/HR department.

Independent Member (IM)/Non-Executive Director (NED) – IMs and NEDs provide scrutiny and seek assurance that the speaking up culture is working in an organisation. You can speak to an IM/NED about speaking up, but they won't advocate or represent you on your specific case. However, they may advise you of the best way to get support in raising your issue.

Your local organisation will have more specific advice on what support you can obtain when you want to raise a concern. This can include accessing support from the Speaking Up Safely Lead within your organisation, the Mental Health Team or Change Champions. You are also able to access support through Single Lead Employer within NWSSP. You can also seek support from the Equality and Diversity Champions within NWSSP.

3. Do I have to have evidence of wrongdoing to raise a concern?

You do not need to have absolute proof of the activities you want to report; a reasonable belief is sufficient. We encourage all individuals to raise their concerns as early as they can. Any evidence that you do have such as letters, memos, diary entries, DATIX etc. will be useful to assist any further investigations.

4. Will I be responsible for investigating the concern?

No, your concern will be investigated by a nominated individual, if appropriate to do so.

5. How will I know if my concern has been dealt with?

Once an individual has told someone of their concern, whether verbally or in writing, the information will be assessed to see what action should be taken. This may involve an informal, review or a more formal investigation. You will be informed on who is handling the matter, how you can contact them and what further assistance may be needed. You will be notified with what progress is being made within 7 days. If there is to be a formal investigation the manager to whom you have reported their concern will appoint an Investigating Officer. If an internal investigation takes place this will be undertaken thoroughly and as quickly as possible considering the matters to be investigated. At your request, you will receive a written summary of your concern, setting out how it will be handled along with a time frame.

6. What happens if I don't agree with the outcome of my concern, or I don't feel that it was dealt with properly?

The individual raising the concern will be entitled to a verbal response, as a minimum, and where appropriate, a written response may be required (noting any request to remain anonymous). The person responsible for providing this response may be the manager to whom the concern was addressed. This may also be the educational supervisor team within Health Education and Improvement Wales (HEIW), Single Leader Employer within NWSSP, or the individual identified to provide such responses in any local processes in place to ensure that concerns can be raised. If you feel that your concern has not been dealt with appropriately, please contact your local People and Organisational

Development team for more information on how to escalate your concern.

7. I want to raise a concern, but I want to remain anonymous because I'm worried that I'll be treated differently if I make myself known.

You are encouraged to raise concerns openly. However, there may be circumstances when individuals may request that their identity is not revealed. In this case, the organisation will not disclose their identity without their consent unless required to by law. There may, however, be times when the organisation may be unable to resolve a concern without revealing the individual's identity, for example where personal evidence is essential. In such cases, the organisation will discuss with the individual whether and how the matter can best proceed. Where the concern is a matter of staff or patient safety in line with Duty of Care, there may well be a need for escalation and anonymity may not be able to be maintained. Where this cannot be avoided, however, this will be made clear to the individual who has raised the concern

If you choose to raise a concern anonymously, we are committed to acting on the information provided to the fullest extent possible. While anonymity may limit direct communication, we will use the details shared to address the issue effectively. NWSSP is committed to acting without bias, or prejudice in handling all concerns.

8. What happens if someone raises a concern that they know isn't true?

We acknowledge that in a very small number of cases, allegations may be made which are malicious or vexatious. Making allegations that are known to be false will be considered a serious matter. All

staff are responsible for ensuring that they do not act in a false or malicious manner when raising a concern, and not to raise a concern to avoid reasonable management action.

If it is concluded that an individual has deliberately made false allegations maliciously or vexatiously, or for personal gain, then the organisation may begin an investigation under the Disciplinary policy and procedure.

9. What does the term 'Whistleblowing' mean?

Whistleblowing is the term used when a member of staff raises a concern about a possible risk, wrongdoing or malpractice that has a public interest aspect to it, usually, because it threatens or poses a risk to others (e.g., patients, colleagues or the public). This may include:

- Systematic failings that result in patient safety being endangered, e.g., poorly organised emergency response systems, or inadequate/broken equipment, inappropriately trained staff
- Poor quality care
- Acts of violence, discrimination or bullying towards patients or staff
- Malpractice in the treatment of, or ill-treatment or neglect of, a patient or client
- disregard of agreed care plans or treatment regimes
- Inappropriate care of, or behaviour towards, a child/vulnerable adult
- The welfare of subjects in clinical trials
- Staff being mistreated by patients
- Inappropriate relationships between patients and staff

- Illness that may affect a member of the workforce's ability to practise in a safe manner
- Substance and alcohol misuse affecting ability to work
- Negligence
- Where a criminal offence has been committed/is being committed/or is likely to be committed (or you suspect this to be the case)
- Where fraud or theft is suspected
- Disregard of legislation, particularly in relation to Health and Safety at Work
- A breach of financial procedures
- Undue favour over a contractual matter or to a job applicant has been shown
- Information on any of the above has been/is being/or is likely to be concealed

If an individual needs further advice, they can contact the charity Protect on **020 3117 2520**, or by email at whistle@protect-advice.org.uk. Protect can advise individuals how to go about raising a matter of concern in the appropriate way at <https://protect-advice.org.uk/>. There are prescribed bodies for Whistleblowing in Wales. Namely these prescribed bodies include but are not limited to, Health Inspectorate Wales (HIW), Audit Wales, the Police and the Health and Safety Executive. Alternatively, the Department of Health also provides a free, independent confidential advice service for NHS and Social Care employees and employers in England and Wales known as Speak Up. They can be contacted on **08000 724 725** or via their website at <https://speakup.direct/>