



Whistleblowing / Freedom To Speak Up Policy

Introduction

Whistleblowing is the term used when you report something you see or have found out about that you consider to be wrong. In most cases this can be reported to your line manager. If you cannot or do not wish to do this for any reason, then you should follow the procedure set out below

Policy Statement

CES Medical Ltd is committed to ensuring an open culture with the highest standards of honesty and accountability. This policy is designed to allow staff to disclose information that they believe constitutes a wrongdoing without being penalised in any way in doing so.

Scope

This policy and the procedures applies to all directors, managers, staff members, apprentices, workers and anyone else who has a contract to carry out work for us personally. It does not apply to genuinely self-employed contractors who run a profession or business on their own account

Procedures

CES Medical Ltd recognises that raising concerns about wrongdoings can be one of the most difficult and challenging things to do in a work environment. Under this policy you may come forward with legitimate concerns without fear of being blamed or of any reprisal. You will not be disadvantaged for raising what you consider to be a legitimate concern.

What wrongdoings should be raised?

If you genuinely believe that we, or any of our staff have taken, are intending to take or have failed to take action that you reasonably believe could lead or amount to:

- A failure to comply with any legal obligations
- A criminal offence that has been, is being, or is likely to be committed
- Unauthorised or inappropriate disclosure, misuse or loss of confidential, personal and/or sensitive information
- A miscarriage of justice

- Bribery or financial fraud
- Risk or damage to the environment
- A danger to the health and safety of employees or others
- Attempts to suppress or hide information or evidence relating to a wrongdoing in any of the areas above

The Public Interest Disclosure Act 1998 provides protection for workers who reasonably believe that they are acting in the public interest, where the concern (disclosure) is covered under one of the areas above.

The concern can be about an incident that happened in the recent past, is happening now, or that you believe is likely to happen in the near future.

Concerns over personal issues such as a complaint against another staff member should be raised using the appropriate company procedure, likely to be either the grievance policy, bullying and harassment policy or the code of business conduct, as such complaints are not in the public interest.

Can I raise a concern anonymously?

Anonymous reporting is discouraged as it may prevent us obtaining further information in relation to the concern raised and prevent a full investigation from taking place. You can make a protected disclosure where we will assure you of confidentiality unless we are required to disclose your identity by law.

How do I raise a concern?

If possible, you should raise your concern internally. This can be reported verbally or in writing to any manager senior manager or director within the Company if you feel unable to discuss with your line manager. You should provide as much detail as possible including anything you have witnessed, any evidence you have obtained and dates and times of incidents occurring as appropriate. If you attend a meeting you can bring a companion with you if you wish for moral support.

If you really feel you are unable to raise your concern internally you may make a disclosure to a relevant regulatory authority. This information will be advised publicly on all Company noticeboards and the intranet.

The matter will be fully investigated with you and with other people that you believe are involved with or connected to the suspected wrongdoing by an appointed independent investigating officer who may be internal or external to the Company.

What will happen next?

The person you have raised the concern with will listen to you and consider the concern(s) you have raised and decide what, or if, further action is needed. You will be informed who else may need to be spoken to. The Director will need to be informed and they will consider any actions to be taken.

Where possible you will be kept informed about the actions which are proposed or are being taken. This may not always be possible where we are under a duty to protect the confidentiality of other people that are involved.

If you do not feel your concern has been dealt with appropriately you may address the concerns you have about the way the matter has been dealt with or, if you disagree with the outcome, with the Director.

Giving you support

It is understandable that staff may feel that they will be 'singled out' for making a disclosure which they believe to be in the public interest. We will take every step to ensure that if you raise a legitimate concern you will be protected and supported.

We may take appropriate action against any person found to be:

- victimising another person for using this procedure (please tell a member of the management team if you think you have been victimised, or raise it formally under the grievance procedure if the matter is not remedied); or
- deterring any person from reporting genuine concerns under this procedure. If you think you have been deterred, you can raise the matter formally under the grievance procedure (if the matter is not remedied).

If we find that people have done either of the above we may take disciplinary action against them, which may result in their dismissal.

If we find that you have raised a concern in a frivolous or vexatious manner then our investigation may potentially result in us taking disciplinary action against you, which may lead to your dismissal.

Status of this policy

This policy does not give contractual rights to any member of staff. The Company reserves the right to make amendments to or change the content of the policy at any time. Any changes will be communicated to all workers.

Monitoring

Monitoring of incidents raised under this policy will be via a Whistleblowing incident log. This will be reviewed on a monthly basis.

Related policies and procedures

Safeguarding Policy and procedures
Grievance Policy and procedures
Duty of Candour Policy and procedures
Complaints procedure
Bullying and Harassment Policy and procedures
Confidentiality Policy and procedures

Legislation and Guidance

Public Interest Disclosure Act 1998

From the Government website:
<https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>

Compliance

Safe	S2: How are risks to individuals and the service managed so that people are protected and their freedom is supported and respected?
Well Led	W1: How does the service promote a positive culture that is person-centred, open, inclusive and empowering?

Impact Assessment (EIA) Screening Tool

1. To be completed and attached to all procedural/policy documents created within individual services.

2. Does the document have, or have the potential to deliver differential outcomes or affect in an adverse way any of the groups listed below?

If yes please detail underneath in relevant section and provide priority rating

		Positive Impact	Negative Impact	Reasons
Gender	Men	N	N	<i>The aim of this policy is to describe the guidelines for whistleblowing which the Company will adhere to, to ensure it can continue to deliver its services without disruption in a safe manner. On this basis it is not considered that that the policy or activities arising from it will have any impact on this group within the protected characteristic of gender</i>
	Women	N	N	As above - with no impact

Race	Asian or Asian British People	N	N	As above
	Black or Black British People	N	N	As above
	Chinese people	N	N	As above
	People of Mixed Race	N	N	As above
	White people (including Irish people)	N	N	As above
Disability	People with Physical Disabilities, Learning Disabilities or Mental Health Issues	N	N	As above
Sexual Orientation	Transgender	N	N	As above
	Lesbian, Gay men and bisexual	N	N	As above
Age	Children	N	N	As above

	Older People (60+)	N	N	As above
	Younger People (17 to 25 yrs)	N	N	As above
Faith Group		N	N	As above
Pregnancy & Maternity		N	N	As above
Equal Opportunities and/or improved relations		N	N	As above

Notes:

Faith groups cover a wide range of groupings, the most common of which are Buddhist, Christian, Hindus, Jews, Muslims and Sikhs. Consider faith categories individually and collectively when considering positive and negative impacts.

The categories used in the race section refer to those used in the 2001 Census. Consideration should be given to the specific communities within the broad categories such as Bangladeshi people and the needs of other communities that do not appear as separate categories in the Census.