**Template community pharmacy whistleblowing policy**

**[*Insert contractor’s name*] whistleblowing policy**

**Speak up – we will listen**

Speaking up about any concern you have at work is really important. In fact, it is vital because it will help us keep our patients safe and help us to improve our services. You may feel worried about raising a concern, and we understand this. But please don’t be put off. [*Insert pharmacy name*] is fully committed to an open and honest culture. We will investigate what you say and you will always have access to the support you need.

**This policy**

This policy was a recommendation of the review by Sir Robert Francis into whistleblowing in the NHS, which identified awful experiences of people being met with obstruction, defensiveness and hostility when they tried to raise concerns at work. This policy has been adapted from the standard integrated policy produced by Monitor, the Trust Development Authority and NHS England for hospitals. This policy is being adopted by NHS primary care providers in England to help ensure a consistent approach to raising concerns.

Our local process *[iinclude hyperlink/annex]* adheres to the principles of this policy and provides more detail about how we will look into a concern.

**What concerns can I raise?**

You can raise a concern about **anything** you think is harming the service we deliver. Just a few examples of this might include (but are by no means restricted to):

concerns about unsafe patient care

unsafe working conditions

inadequate induction or training for staff

a bullying culture

***If in doubt, please raise it***

Don’t wait for proof. We would like you to raise the matter while it is still a concern. It doesn’t matter if you turn out to be mistaken as long as you are genuinely troubled. If your concern is a personal complaint about your own employment situation, rather than a concern about malpractice or wrongdoing that affects others, then you may wish to raise a grievance using our grievance policy *[either available upon request or insert link to pharmacy’s grievance policy]*.

**Feel safe to raise your concern**

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully you into not raising any such concern. Any such behaviour is a breach of our values as a pharmacy and, if upheld following investigation, could result in disciplinary action.

Provided you are acting in good faith (effectively this means honestly), it does not matter if you are mistaken or if there is an innocent explanation for your concerns. Of course we do not extend this assurance to someone who may maliciously raise a matter they know is untrue.

**Confidentiality**

We hope you will feel comfortable raising your concern openly, but we also appreciate that you may want to raise it confidentially. Therefore, we will keep your identity confidential, if that is what you want, unless required to disclose it by law. You can choose to raise your concern anonymously, but that may make it more difficult for us to investigate thoroughly and give you feedback on the outcome.

**Who can raise concerns?**

Anyone who works in providing NHS primary care services, including agency workers, temporary workers, locums, students and volunteers, can raise concerns.

**Who should I raise my concern with?**

In the first instance, you may feel comfortable raising your concern informally with your immediate supervisor / manager, who we hope will be able to resolve it for you.

If this does not resolve matters, or you feel it isn’t possible to raise your concerns this way you can raise it formally by contacting one of the following people1:

Designated lead person for handling concerns  *[insert name and direct contact details]*

The owner of [insert pharmacy name]  *[insert name and direct contact details]*

Or

1 Appendix 1 sets out an example of how a local process might work – to show how the concern might be escalated.

The Freedom to Speak Up Guardian  *[insert name(s) and contacts details]* – this is an important role identified in the Freedom to Speak Up review to act as an independent and impartial source of advice to staff, with access to anyone in the pharmacy, or if necessary outside the pharmacy.

All these people have been/will be trained in receiving concerns and will give you information about where you can go for more support.

You can also raise concerns formally with the external bodies, listed on page 4.

**Advice and support**

Details on the local support available to you can be found here *[link to location of further support]*. However, you can also contact the [NHS Whistleblowing Helpline o](http://wbhelpline.org.uk/)r your union representative (if you have one).

**How should I raise my concern?**

You can raise your concerns with any of the people listed above in person, by phone or in writing (including email).

Whichever route you choose, please be ready to explain as fully as you can, the information and circumstances that gave rise to your concern.

**What will we do?**

We are committed to listening to our staff, learning lessons and improving patient care. On receipt the concern will be recorded and you will receive an acknowledgement within two working days. The central record will record the date

the concern was received, whether you have requested confidentiality, a summary of the concerns and dates when we have given you updates or feedback.

***Investigation***

We will investigate all concerns – using someone suitably independent (usually from a different part of the organisation) and properly trained – and we will reach a conclusion within a reasonable timescale (which we will notify you of). The investigation will be objective and evidence-based, and will produce a report that focuses on learning lessons to prevent problems recurring.

We may decide that your concern would be better looked at under another process. For example, our process for dealing with bullying and harassment. If so, we will discuss that with you. Reports of fraud should be made to the local counter-fraud team [insert contact details].

Any employment issues identified during the investigation will be kept separate.

***Communicating with you***

We will treat you with respect at all times, and will thank you for raising your concerns. We will discuss your concerns with you – to ensure we understand exactly what you are worried about. We will tell you how long we expect the investigation to take and keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others).

***How will we learn from your concern?***

The focus of the investigation will be on improving the service we provide for patients. Where it identifies improvements that can be made, we will track them to ensure necessary changes are made, and are working effectively. Lessons will be shared across the pharmacy, or more widely, as appropriate.

***Senior management oversight***

The senior management will be informed of all concerns raised by our staff and what we are doing to address any problems. The senior management support staff raising concerns and wants you to feel free to speak up.

**Raising your concern with an outside body**

Alternatively, you can raise your concern outside the pharmacy with:

[NHS Improvement -](https://improvement.nhs.uk/) for concerns about:

o NHS foundation trusts

o other [providers licensed by NHS Impr](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441473/REGISTER_OF_LICENCE_HOLDERS_-_01072015.csv/preview)ovement

o NHS procurement, choice and competition

o the national tariff

[NHS Trust Development Authority (a](http://www.ntda.nhs.uk/about/)bout non-foundation NHS trusts)

[Care Quality Commission (](http://www.cqc.org.uk/content/who-we-are)for quality and safety concerns)

[NHS England -](http://www.england.nhs.uk/) for concerns about:

o primary medical services (general practice)

o primary dental services

o primary ophthalmic services

o local pharmaceutical services

[Health Education England (](https://hee.nhs.uk/about/how-we-work/what-we-do/)education and training in the NHS)

Any other relevant prescribed person – you can find a list [here w](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/431221/bis-15-289-blowing-the-whistle-to-a-prescribed-person-list-of-prescribed-persons-and-bodies-2.pdf)hich includes professional regulators:

[General Dental Council](http://www.gdc-uk.org/Pages/default.aspx)

[General Medical Council](http://www.gmc-uk.org/)

[General Optical Council](http://www.optical.org/)

General Pharmaceutical Council

[Health and Care Professions Council](http://www.hpc-uk.org/)

[Nursing and Midwifery Council](http://www.nmc-uk.org/)

Another professional body, such as:

o Association of British Dispensing Opticians

o Association of Optometrists

o Federation of Opticians.

**Making a ‘protected disclosure’**

To be covered by whistleblowing law when you raise your concern (to be able to claim the protection that accompanies it) you must reasonably believe two things:

i. you are acting in the public interest (so your concern needs to be more than a personal grievance); and

ii. your disclosure shows past, present or future wrongdoing that falls into one or more of the following categories:

criminal offence

failure to comply with a legal obligation

a miscarriage of justice

danger to the health or safety of any individual

damage to the environment and/or

covering up the wrongdoing in the above categories

You can find more information on the law on whistleblowing and the associated legal protection [here.](http://wbhelpline.org.uk/resources/public-interest-disclosure-act/)

**[*Insert contractor’s name*]** also agrees that you may provide information to the General Pharmaceutical Council or to NHS England which includes an allegation of a serious nature which you reasonably believe to be substantially true, but disclosure of it is not a “protected disclosure” within the meaning given in section 43A of the Employment Rights Act, provided that you do so in good faith and not for purposes of personal gain. If you do **[*Insert contractor’s name*]** undertakes to protect your right not to be subjected to any detriment or to dismissal as a consequence of that act.

Appendix 1

**Example process for raising and escalating a concern**

**Step one**

If you have a concern about a risk, malpractice or wrongdoing at work, we hope you will feel able to raise it first with your immediate supervisor. This may be done face to face, over the phone or in writing.

[Immediate supervisor or owner of [insert pharmacy name]].

**Step two (If applicable)**

If you feel unable to raise the matter with your immediate supervisor, for whatever reason, please raise the matter with the [Designated lead person, or owner of [insert pharmacy name]].

**Step three**

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact the local Freedom to Speak Up Guardian:

[Name]

[Contact details]

This person has been given special responsibility and training in dealing with whistleblowing concerns. They will:

* treat your concern confidentially unless otherwise agreed
* ensure you receive timely support to progress your concern

[The following additional responsibilities should only be included if the Freedom to Speak Up Guardian has agreed to undertake them

* take responsibility to ensure you are not subjected to any detriment for raising your concern
* ensure you receive timely feedback on how your concern is being dealt with
* ensure you have access to personal support since raising your concern may be stressful]

If you want to raise the matter in confidence, please say so at the outset so that appropriate arrangements can be made.