

WHISTLEBLOWING

This document sets out how Health Education England handles disclosures from whistleblowers.

1. ABOUT THIS POLICY

- 1.1 This document will be of interest to individual whistleblowers and other prescribed persons, who wish to understand what Health Education England (HEE) does with their information.
- 1.2 This policy applies to workers of other organisations or companies who wish to raise concerns to HEE about matters relating to the education and training for health care workers at their employing organisation or company.

2. WHAT IS WHISTLEBLOWING?

Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to an employer's activities. This includes bribery, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment and any breach of legal or professional obligations.

3. THE STATUTORY FRAMEWORK

- 3.1 HEE is a 'prescribed person' under the Public Interest Disclosure Act 1998 (PIDA), which provides the statutory framework for protecting workers from harm if they blow the whistle on their employer. Under PIDA, workers may report to the relevant prescribed person about suspected wrongdoing (as outlined above) they believe may have occurred. This is known as making a 'disclosure.'
- 3.2 A worker of another organisation or company can report to HEE about matters relating to the education and training for health care workers and ensuring sufficient skilled and trained health care workers are available for the delivery of services.
- 3.3 A disclosure to a prescribed person will only be protected if the worker reasonably believes that the matter falls within the remit of the prescribed person in question; and the information disclosed and any allegation contained in it are substantially true.

4. HOW HEE WILL RESPOND TO A DISCLOSURE

- 4.1 Disclosures should usually be made by the worker to their employer. However, HEE recognises that a worker may feel it is not appropriate for them to raise a concern with their employer and worry they will suffer detriment from their employer as a result of raising an issue. In these circumstances, a worker can instead make a disclosure to a prescribed body such as HEE.

Once a worker has made a disclosure to us, we will initially consider: -

- 4.2.1 If the concern is within the relevant matters which can be reported to HEE (see 3.2. above)

4.2.2 Are we the right organisation to investigate the concern? HEE is not a healthcare regulator therefore some concerns, for example unsafe practices by an NHS trust, should be referred to the relevant organisation e.g. the Care Quality Commission or the General Medical Council.

4.2.3 Did the worker contacting us attempt to raise their concern with their employer? HEE will however still respond to the worker's concerns even if they have not raised these with their employer in the first instance.

5. WHAT HEE WILL DO WITH THE INFORMATION IN THE DISCLOSURE

5.1 Provided the concerns disclosed to us fall within the scope of 4.2 above, we will review the disclosure.

5.2 We will use the information disclosed, to decide whether to refer the issue to the relevant regulatory body i.e. the CQC/GMC, to take enforcement action where necessary.

5.3 If necessary, we will arrange a meeting with you to discuss the concerns raised.

5.4 Consider whether it is appropriate for HEE to take any action if concerns are found to be valid. For example, in extreme cases, where it is found that there are unsafe training practices at an NHS Trust where a trainee doctor is placed, HEE will consider the removal of the trainee doctor(s) from that Trust until the issues are resolved.

6. CONFIDENTIALITY

6.1 Completely anonymous disclosures are difficult to investigate. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret and only reveal it where necessary to those involved in investigating your concern.

6.2 If you would like to be kept informed of what we do about your concern or would like feedback on the outcome of what we found, you should confirm to HEE so that we can keep you informed.

6.3 In the event that HEE refers the concerns to the appropriate regulatory body, we will make every effort to avoid disclosing the identity of any whistleblower that has raised a concern with us, if they request this.

6.4 However, in some circumstances, we might have to disclose information that could identify a whistleblower to another body. For example, we might have to make this disclosure to protect people from harm, to ensure that national standards of quality and safety are met, or if we suspect a serious criminal offence may have been committed. We may make this disclosure to the police or another official body, or is required to do so by a court.

7. CONTACTS

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Director	Lee Whitehead, Director of People and Communications Telephone: 01223 597526 Email: lee.whitehead@nhs.net
Public Concern at Work (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk

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