

Speaking Up (Whistleblowing) Policy

**NHS North Central London Integrated Care Board
Speaking Up (Whistleblowing) Policy - Control Sheet**

No	Title	Description
1.	Summary	This Policy sets out the ICB's detailed arrangements for raising concerns and for whistleblowing.
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3.	Accountable Director	Sarah Morgan, Chief People Officer.
4.	Applies to	ICB members, Clinical Leads, staff at all levels and external parties where appropriate.
5.	Groups/individuals who have overseen development of this policy	Corporate Affairs.
6.	Groups which were consulted and have given approval	HR Team; Clinical Quality Senior Management Team; Joint Partnership Group Members; Staff Network Chairs (LGBTQ+, Disability and BAME).
7.	Equality Impact Analysis	Policy reviewed for compliance throughout its development.
8.	Ratifying committee and date of final approval	Approved by Audit Committee on 11 th November 2025.
9.	Version	Version 1.3
10.	Locations available	The ICB's website and staff intranet.
11.	Related documents	Constitution; Standards of Business Conduct Policy; Counter Fraud, Bribery and Corruption Policy; Conflicts of Interest Policy; Sponsorship and Joint Working with the Pharmaceutical Industry Policy; Equality and Diversity Policy; Grievance Policy; Prevention of Bullying and Harassment Policy; Disciplinary Policy; Complaints Policy.
12.	Disseminated to	ICB members, Clinical Leads and all staff including interim staff members.

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Document Control

Date	Version	Action	Amendment	Author
4 th July 2022	1	Policy approved	This policy was amended from the previous NCL Clinical Commissioning Group's policy.	Andrew Spicer, Head of Governance and Risk.
18 th November 2024	1.1	Policy reviewed and updated	This policy was reviewed and updated in line with national guidance.	Andrew Spicer, Assistant Director of Governance, Risk and Legal Services Kate McFadden-Lewis, Governance and Risk Lead
22 nd May 2025	1.2	Key contacts updated.	The key contacts in Schedule 1 were updated.	Kate McFadden-Lewis, Governance and Risk Lead
11 th November 2025	1.3	Policy reviewed and approved by Audit Committee	Additional wording included to clarify that a bullying culture may include a culture where unlawful discrimination is prevalent.	Andrew Spicer, Assistant Director of Governance, Risk and Legal Services

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1. Introduction

- 1.1 This document sets out the North Central London Integrated Care Board ('ICB') Speaking Up (Whistle Blowing) Policy.
- 1.2 The ICB is a public body that is responsible for commissioning health care services for the people of the London Boroughs of Barnet, Camden, Enfield, Haringey and Islington. As such it is also the steward of significant public funds.
- 1.3 It is important that the ICB and those working for it uphold the highest standards of conduct and behaviour, promote a culture of openness, transparency and safety and support a safe working environment. This helps to ensure:
 - 1.3.1 The ICB is a high performing organisation with relationships built on trust;
 - 1.3.2 Issues, risks and/or problems are identified and addressed early;
 - 1.3.3 The ICB is able to learn and improve;
 - 1.3.4 The ICB exercises its duties and responsibilities effectively;
 - 1.3.5 Appropriate use and stewardship of public funds;
 - 1.3.6 Benefits to patients and residents are maximised; and
 - 1.3.7 Staff and public trust and confidence is maintained.
- 1.4 Whilst it is expected that acts of wrongdoing are rare, the ability to speak up acts as a key safeguard and deterrent against wrongdoing. It helps to protect the ICB, patients, staff, stakeholders and the wider NHS.
- 1.5 It is important that people are able to speak up where there is wrongdoing and feel supported by the ICB in doing so. It is also important that those who speak up are protected where their concerns are genuine and have been raised in line with this policy. Where this is the case the ICB is committed to ensuring that those speaking up are supported and do not suffer from any unlawful detriment to their employment.
- 1.6 Whilst this policy is focussed on speaking up and whistleblowing against wrongdoing the ICB also wants to support and encourage workers to 'speak up' where they identify opportunities for improvements. This in turn supports the ICB's culture of continuous learning and improvement. Any opportunities or ideas for improvement should be raised with the worker's line manager or the relevant director.

2. Policy Aims

- 2.1 This policy aims to:
 - 2.1.1 Provide guidance to ICB members, office holders, clinical leads, employees and other ICB staff whether temporary or full time (including bank and agency workers) on speaking up and whistleblowing;
 - 2.1.2 Promote and support a culture of openness, transparency and safety where speaking up is a positive activity which staff are actively encouraged to do as part of the normal course of business;
 - 2.1.3 Support a safe working environment and a culture of learning and continuous improvement;
 - 2.1.4 Support those working for and with the ICB to report wrongdoing;
 - 2.1.5 Support good governance and provide internal controls;
 - 2.1.6 Evidence the importance of raising concerns and whistleblowing to the ICB;
 - 2.1.7 Ensure the ICB meets its legal obligations.

3. Statutory Framework and Equalities

- 3.1 This policy supports the ICB in achieving its legal duties and obligations under English law

and is in accordance with:

- 3.1.1 Employment Rights Act 1996 ('ERA 1996');
- 3.1.2 Public Interest Disclosure Act 1998 ('PIDA 1998');
- 3.1.3 Equality Act 2010 ('EA 2010') and the Public Sector Equality Duty;
- 3.1.4 Department for Business Innovation & Skills publication 'Whistleblowing Guidance for Employers and Code of Practice', 2015.

3.2 This policy complies with the Equality Act 2010 and supports the ICB in fulfilling the Public Sector Equality Duty, in particular:

- 3.2.1 The policy has been assessed against the requirements of the Equality Act 2010 and there is no detrimental impact on people either with or without protected characteristics;
- 3.2.2 The policy supports NHS values and the ICB's commitment to advancing equality through high quality governance, promoting transparency and fostering a supportive and safe culture;
- 3.2.3 The policy has clear processes in place for staff to raise any concerns they may have about wrongdoing, unlawful discrimination, bullying and harassment;
- 3.2.4 The policy clearly states how workers will be protected from unlawful detriment to their employment due to the worker speaking up and making a Protected Disclosure;
- 3.2.5 The policy contains a number of provisions to support staff welfare and to protect staff when speaking up;
- 3.2.6 The Freedom To Speak Up Guardians work with the ICB's staff networks and employee groups, including those which focus on equality and diversity, to promote this policy, support inclusivity and offer guidance and support;
- 3.2.7 The ICB has an Equality & Diversity Policy which this policy supports;
- 3.2.8 The Audit Committee provides oversight and scrutiny of the ICB's speaking up (whistleblowing) systems and processes to ensure that they are effective.

4. Counter Fraud and Bribery

- 4.1 This policy helps to reduce the risk of fraud and bribery by supporting an open and transparent culture, promoting the reporting of wrong doing and encouraging and protecting staff who do so.
- 4.2 This policy supports and complements the Counter Fraud, Bribery and Corruption Policy and has been reviewed by the ICB's Local Counter Fraud Specialists.
- 4.3 Fraud and suspicions of fraud must be reported in accordance with the Counter Fraud, Bribery and Corruption Policy. This policy is available on the ICB's website and staff intranet.
- 4.4 The contact details for the ICB's Local Counter Fraud Specialists are set out in Schedule 1.

5. Constitution and Supporting Documents

- 5.1 This policy should be read in conjunction with the following:
 - 5.1.1 ICB Constitution;
 - 5.1.2 Standards of Business Conduct Policy;
 - 5.1.3 Counter Fraud, Bribery and Corruption Policy;
 - 5.1.4 Conflicts of Interest Policy;
 - 5.1.5 Sponsorship and Joint Working With The Pharmaceutical Industry Policy;
 - 5.1.6 Grievance Policy;
 - 5.1.7 Prevention of Bullying & Harassment Policy
 - 5.1.8 Disciplinary Policy;
 - 5.1.9 Complaints Policy;
 - 5.1.10 Equality and Diversity Policy.

6. Help and Support

- 6.1 For any support with this policy please contact the HR Team or the Governance, Risk and Legal Services Team. Their contact details are contained in Schedule 1. Schedule 1 does not form part of this policy and may be amended or updated as necessary from time to time by the Governance, Risk and Legal Services Team.

7. Who this policy applies to

- 7.1 This policy applies to ICB members, office holders, clinical leads, employees and other ICB staff whether temporary or full time. This includes bank and agency workers. In this policy these people are collectively referred to as 'workers.' This policy also applies where people who do not work for the ICB want to report actual or perceived wrongdoing by the ICB, its workers and/or agents.

8. Wrong Doing

- 8.1 In this policy, in accordance with PIDA 1998, any act or behaviour that falls within one of the following categories is referred to as 'wrongdoing':

Category	Description
Criminal Offence	Where a criminal offence has been committed, is being committed or is likely to be committed.
Compliance with Legal Obligations	Where a person has failed, is failing or is likely to fail to comply with any legal obligation to which he/she is subject.
Miscarriage of Justice	Where a miscarriage of justice has occurred, is occurring or is likely to occur.
Health and Safety	Where the health or safety of any individual has been, is being or is likely to be endangered.
Environment	Where the environment has been, is being or is likely to be damaged.
Concealment	That information tending to show any of the above has been, is being or is likely to be deliberately concealed.

- 8.2 Examples of wrongdoing may include but are not limited to dangers to patient safety or their care, improper use of public funds, a bullying culture (across a team or organisation rather than individual instances of bullying), a lack of (or a poor) response to a reported patient safety incident, suspicions of fraud or a covering up of any such misconduct. For the avoidance of doubt the term 'bullying culture' may include, but is not limited to, a culture where unlawful discrimination is prevalent.

9. Speaking Up

- 9.1 The ICB wants to foster and support a culture where speaking up is a positive activity which staff are actively encouraged to do. Workers should feel safe to speak up about wrongdoing and/or their concerns about wrongdoing as part of the normal course of business.

- 9.2 The ICB recognises that speaking up is on a spectrum. There are many different situations in which people may feel the need to speak up either informally or formally. Confidence levels in doing so will vary on a case by case basis and from person to person. Therefore, this policy covers situations where those speaking up do so informally or formally.
- 9.3 This policy also covers those workers who pass on information through the appropriate channels which they reasonably believe constitutes wrongdoing. In this policy both speaking up about wrongdoing and the passing of information which the worker reasonably believes to show wrongdoing is collectively referred to as 'speaking up'.
- 9.4 The wrongdoing does not have to have happened for a worker to be able to speak up. Workers may speak up about wrongdoing which they reasonably believe has happened, is happening or may happen in the future. In addition, it also covers situations where workers are not sure and their concern may be from a feeling that something is not right or something gets in the way of patient care. For example, this may be because a process or a way of working is not being followed or a patient has been treated poorly.
- 9.5 If a worker has a concern about wrong doing and wants to speak up they can do so by raising it through the appropriate channels. The process for doing so is set out in Schedule 2.
- 9.6 If a person who does not work for the ICB wants to report actual or perceived wrongdoing by the ICB, its workers and/or agents they may do so in accordance with the process set out in Schedule 3. Any person who does not work for the ICB but wants to speak up about their own organisation should do so in accordance with their own organisation's policies.

10. Investigation

- 10.1 Where a formal concern has been raised there will be a prompt, swift, proportionate, fair and objective investigation to establish the facts with an appropriate level of independence and expertise.
- 10.2 Any investigation will at a minimum seek to:
- 10.2.1 Identify and rectify any relevant issues; and
 - 10.2.2 Identify any lessons that can be learned to prevent problems reoccurring.
- 10.3 The worker speaking up can expect the following:
- 10.3.1 That they will be treated with respect at all times and will be thanked for raising their concerns;
 - 10.3.2 They will be offered the opportunity to have a colleague, a Freedom To Speak Up Ambassador or their Trade Union representative present when discussing their concerns if they feel they need additional support when doing so;
 - 10.3.3 The person conducting the investigation will discuss the person's concerns with them to ensure their concerns are properly understood;
 - 10.3.4 They will be informed whether their concern is a Protected Disclosure and whether they fall within the protections contained within this policy. For the avoidance of doubt a person automatically falls within the protections contained in this policy as long as they meet the criteria contained in section 14 below and are not disqualified under section 17;
 - 10.3.5 They will be kept up to date with the progress of the investigation as appropriate;
 - 10.3.6 They will have their wishes recorded with respect to confidentiality;
 - 10.3.7 The worker may request that no record of the conversation is made under 10.3.6 above. In which case it will be dealt with as an anonymous concern as per section 12 below. Additionally, sections 10.3.8 and 10.3.9 below shall not apply;

- 10.3.8 They will receive a summary of the meeting to ensure their concerns have been properly understood;
- 10.3.9 The outcome of the investigation will be reported to them within a reasonable timeframe where it is appropriate to do so.

10.4 A checklist to support those investigating formal concerns under this policy to ensure those workers speaking up are treated fairly and are supported is contained in Schedule 4. This is the Worker Wellbeing And Support Checklist.

11. Confidentiality

- 11.1 The general principle in this policy is that the identity of individuals who speak up in accordance with the provisions of this policy will be protected upon request. Where individuals do not expressly state that they wish to remain anonymous their identity will only be disclosed where this is necessary.
- 11.2 However, any individual who speaks up must be aware that they may be required to:
 - 11.2.1 Provide reasons for their concerns and if there is any supporting evidence;
 - 11.2.2 Provide a statement. This may need to be in writing;
 - 11.2.3 Participate in any disciplinary and/or police and/or court action resulting from an investigation into any allegations of wrongdoing.
- 11.3 Where any of the grounds under section 11.2 apply it may be necessary to disclose the identity of the individual who speaks up. However, confidentiality will be maintained in as far as is reasonable. Where it is necessary to disclose the name of the individual the reasons for this and the next steps will be discussed with the individual.

12. Anonymous Concerns

- 12.1 The ICB encourages individuals to state their name when speaking up. Concerns expressed anonymously have a number of disadvantages:
 - 12.1.1 They may be viewed as less credible. Please see section 12.2 below;
 - 12.1.2 It does not support the culture which the ICB wants to foster where speaking up about wrongdoing is seen as a positive activity and forms part of ordinary business;
 - 12.1.3 The person raising the concern is not able to access the support or protections contained in this policy;
 - 12.1.4 The person raising the concern is not able to receive feedback;
 - 12.1.5 Anonymous concerns may be more difficult for the ICB to investigate.
- 12.2 The ICB may investigate concerns expressed anonymously at its discretion. The decision on whether or not to investigate will be made by the Freedom to Speak Up Guardian. In deciding whether to exercise this discretion the following factors will be taken into account:
 - 12.2.1 The seriousness of the issues raised;
 - 12.2.2 The credibility of the concern;
 - 12.2.3 The likelihood of confirming the allegation from attributable sources.

13. Freedom To Speak Up Guardian and Freedom To Speak Up Ambassadors

- 13.1 The ICB has a Freedom To Speak Up Guardian ('Guardian'). The Guardian acts as an independent source of advice to staff on speaking up. The Guardian has access to anyone in the organisation (including the Chief Executive) and, where necessary, outside of the organisation. Staff can contact the Guardian at any stage.
- 13.2 The Guardian also has a wider role to help protect patient safety and the quality of care, improve the experience of workers and improve learning and improvement by ensuring that

workers are supported in speaking up, barriers to speaking up are addressed, a positive culture of speaking up is fostered and issues raised are used as opportunities for learning and improvement.

- 13.3 Under the ICB's Constitution the Guardian is appointed by the Chief Executive. The details of the ICB's Freedom to Speak Up Guardian is contained in Schedule 1.
- 13.4 The ICB supports speaking up in Primary Care and has appointed a Freedom To Speak Up Guardian for those working in Primary Care. The details of the Primary Care Freedom To Speak Up Guardian is contained in Schedule 1.
- 13.5 The ICB's Guardian is supported by a network of Freedom To Speak Up Ambassadors ('Ambassadors'). The Ambassadors are employees of the ICB and have volunteered to undertake the ambassador role. Ambassadors will:
 - 13.5.1 Champion a culture where speaking up is seen as a positive activity and workers feel encouraged and safe to do so as part of the normal course of business;
 - 13.5.2 Be a point of contact for any ICB worker who wishes to speak up or find out more information about the process;
 - 13.5.3 Provide information to workers on the speaking up process and raise any issues or concerns with the Guardian as appropriate;
 - 13.5.4 Support workers who speak up and help guide them through the process, encouraging them to raise concerns at the earliest opportunity;
 - 13.5.5 Contribute ideas and insights as to how the ICB can develop and maintain a transparent and open culture in which encourages staff to raise concerns;
 - 13.5.6 Remain impartial yet supportive, showing compassion and empathy to all;
 - 13.5.7 Provide feedback to the Guardian where workers have had difficulties or faced barriers to speaking up;
 - 13.5.8 Attend training where required;
 - 13.5.9 Be part of a network that works together to create a culture which is open and learns from mistakes.
- 13.6 Ambassadors may attend investigation meetings where a worker has requested that they are supported at a meeting. The Ambassadors support the speaking up process but are not advocates for those workers who speak up and do not represent them. Therefore, ambassadors should not answer questions on the worker's behalf.
- 13.7 Ambassadors will be provided with training to enable them to properly undertake their role.

14. Protecting Workers Who Speak Up

- 14.1 It is an important principle that the ICB protects those workers who speak up and that they do not suffer from an unlawful detriment to their employment for doing so. Where a worker speaks up in line with the provisions of this policy the ICB will not victimise or allow them to suffer an unlawful detriment to their employment due to the worker speaking up.
- 14.2 For workers to be protected they need to meet all of the following criteria. This is known as making a 'Qualifying Disclosure':
 - 14.2.1 The worker must reasonably believe that they are speaking up about wrongdoing; and
 - 14.2.2 The worker must speak up through the appropriate channel as set out in Schedule 2; and
 - 14.2.3 The worker speaks up in the public interest; and
 - 14.2.4 The worker reasonably believes they are acting in the public interest.
- 14.3 The worker does not need to have proof of wrong doing to raise a concern under this policy or to be protected under it. It is sufficient that the worker reasonably believes that they are

speaking up about wrongdoing and that they are acting in the public interest.

14.4 All Qualifying Disclosures will be treated fairly and consistently.

15. Unlawful Detriment To Employment

15.1 Where a worker has made a Qualifying Disclosure the ICB will not allow them to suffer an unlawful detriment to their employment due to the worker speaking up.

15.2 In this policy unlawful detriment includes but is not limited to:

- 15.2.1 Dismissing the worker;
- 15.2.2 Passing over the worker for a promotion or withholding work;
- 15.2.3 Disciplining the worker;
- 15.2.4 Refusing the worker a reference;
- 15.2.5 Refusing to re-engage the worker;
- 15.2.6 Victimising the worker;
- 15.2.7 Bullying the worker;
- 15.2.8 Denying the worker any performance related element of pay;
- 15.2.9 Withholding work and/or responsibilities from the worker.

16. Individual Employment Related Grievances

16.1 Individual employment related grievances about work are generally not covered under this policy. Where a worker has a concern, problem or complaint about their terms and conditions of work, working environment or relationships with other staff they should refer to the ICB's Grievance Policy and Procedure. This sets out how grievances at work are addressed and can be found on the staff intranet. This policy also does not cover concerns that are not raised in the public interest.

16.2 However, sometimes grievances can concern wrongdoing and so this policy will apply to grievances where all of the following apply:

- 16.2.1 The subject or part of the subject of the grievance concerns any of the matters set out in 8.1 above; and
- 16.2.2 The grievance or the part concerning the alleged wrongdoing is raised in the public interest; and
- 16.2.3 The worker raising the grievance reasonably believes they are acting in the public interest in speaking up about wrongdoing.

16.3 Where this policy applies to a grievance it will only apply to the part or parts of the grievance that concern the wrongdoing and any acts, omissions and/or behaviours arising from it. It will not apply to the other parts of the grievance.

17. Vexatious or Malicious Claims

17.1 To be able to properly support the raising of genuine concerns and the protection of those doing so, the ICB recognises that there may be rare instances where the speaking up (whistleblowing) process is not made in good faith. This is where concerns are raised maliciously or in a vexatious manner, with the person purporting to speak up knowing them to be vexatious or untrue.

17.2. Those workers who purport to speak up but are actually doing so maliciously or vexatiously, raising concern they know to be untrue or are otherwise knowingly abusing this process, will not be protected under this policy and may be subject to disciplinary action. Any disciplinary action will be taken in line with the ICB's disciplinary policy which is available on both the ICB's website and staff intranet.

18. ICB Board of Members Oversight

- 18.1 The Audit Committee shall provide oversight and scrutiny of the ICB's speaking up (whistleblowing) systems and processes on behalf of the Board of Members.
- 18.2 The Audit Committee shall be given high level information about all concerns raised by workers or by external parties through this policy and what we are doing to address any problems.
- 18.3 The Board of Members supports workers raising concerns and wants workers to feel free to speak up.

19. Contractual Confidentiality Clauses

- 19.1 Any contractual term or other confidentiality clause that purport to prevent a worker from speaking up and making a Qualifying Disclosure will be void. The voiding of any such contractual term or confidentiality clause shall not affect the legality or enforceability of any remaining terms and/or clauses.
- 19.2 If the ICB enters into any agreement with a worker that contains any confidentiality clauses these confidentiality clauses should state that making Qualifying Disclosures are allowable.

20. Training

- 20.1 All workers will be made aware of this policy and it is their responsibility to read it and be familiar with its provisions.
- 20.2 All ICB staff are required to undertake training on speaking up.

21. Learning

- 21. The ICB is committed to continuous review of its systems and processes and learning any lessons highlighted as a result of a concern being raised. The ICB will seek to address issues promptly where appropriate and rectify any issues to prevent problems reoccurring.

22. Support and Care

- 22.1 The ICB recognises that speaking up can be challenging and cause anxiety. Therefore, the ICB wants to ensure that workers who speak up are supported. There is a range of support mechanisms available to workers that speak up upon request. These include:
 - 22.1.1 Support from the Freedom to Speak up Ambassadors;
 - 22.1.2 Access to advice, mentoring and counselling;
 - 22.1.3 The provision of support services after a disclosure has been made such as mediation and dispute resolution, to help rebuild trust and relationships in the workplace;
 - 22.1.4 Access to occupational health and the employee assistance programme.
- 22.2 If a worker feels they need any of the support mechanisms set out in clause 22.1 or any additional support they should discuss and agree these with either their line manager, the HR team or the Freedom To Speak Up Guardian.
- 22.3 There are a number of external organisations that can offer support which workers may contact:

- 22.3.1 Speak Up Direct: This provides free, independent, confidential advice on the Speaking Up process: <https://speakup.direct/>
- 22.3.2 Protect: This is a charity which provides confidential and legal advice on Speaking Up: <https://protect-advice.org.uk/>
- 22.3.3 The Trades Union Congress: This provides information on how to join a trade union: <https://www.tuc.org.uk/>
- 22.3.4 The Law Society: This may be able to point staff to other sources of advice and support: <https://www.lawsociety.org.uk/>
- 22.3.5 Advisory, Conciliation and Arbitration Service ('ACAS'). This gives advice and assistance, including on early conciliation regarding employment disputes: <https://www.acas.org.uk/>

23. Roles and Responsibilities

- 23.1 The Board of Members shall:
 - 23.1.1 Ensure that effective whistleblowing processes and systems are in place and are properly resourced;
 - 23.1.2 Promote and support a culture of openness, transparency and safety where speaking up about wrongdoing is viewed as a positive activity which staff are encouraged to do;
 - 23.1.3 Ensure the Chief Executive has appointed one or more Freedom To Speak Up Guardians;
 - 23.1.4 Receive overview reports on speaking up, as requested.
- 23.2 The Audit Committee shall:
 - 23.2.1 Approve the Speaking Up (Whistleblowing) Policy;
 - 23.2.2 Provide oversight and scrutiny of the ICB's speaking up (whistleblowing) systems and processes to ensure that they are effective;
 - 23.2.3 Receive strategic overview reports on Whistleblowing;
 - 23.2.4 Hold the Executive Management Team to account to ensure:
 - The speaking up (whistleblowing) systems and process are being followed;
 - The ICB actively fosters and supports a culture of openness, transparency and safety, where speaking up about wrongdoing is viewed as a positive activity which staff are encouraged to do as a normal part of business;
 - No worker suffers any form of unlawful detriment to their employment as a result of speaking up about a genuine concern;
 - Where a worker has suffered unlawful detriment to their employment appropriate action has been taken/is being taken against the perpetrator(s).
- 23.3 The ICB's Audit Chair shall:
 - 23.3.1 Chair the Audit Committee;
 - 23.1.2 Be a final point of contact for any ICB worker who wishes to speak up but feels unable to raise it with their line manager, the HR Team, the Governance and Risk Team, the Freedom To Speak Up Guardians or the Freedom To Speak Up Ambassadors.
- 23.4 The Executive Management Team shall:
 - 23.4.1 Ensure that speaking up (whistleblowing) systems and processes are being followed;
 - 23.4.2 Develop, support and foster a culture of openness, transparency and safety, where speaking up about wrongdoing is viewed as a positive activity which staff are encouraged to do and is a normal part of business;
 - 23.4.3 Ensure that all workers uphold the highest standards of conduct;
 - 23.4.4 Ensure that workers who make Qualifying Disclosures are supported and are not victimised or suffer some other unlawful detriment to their employment due to making the Qualified Disclosures;

- 23.4.5 Ensure that the Freedom to Speak Up Guardians and the Freedom To Speak Up Ambassadors are supported in their role and have sufficient resources to effectively undertake their roles;
- 23.4.6 Receive reports on speaking up (whistleblowing) as appropriate;
- 23.4.7 Take action as appropriate to address any wrongdoing;
- 23.4.8 Ensure that the ICB has sufficient resources in place to ensure the effectiveness of its speaking up processes;
- 23.5 The ICB's Freedom To Speak Up Guardian shall:
 - 23.5.1 Oversee the speaking up (whistleblowing) process and ensure it is followed;
 - 23.5.2 Ensure managers are trained in dealing with issues;
 - 23.5.3 Ensure the process is monitored and improved where required;
 - 23.5.4 Ensure that workers are supported in speaking up, barriers to speaking up are addressed and a positive culture of speaking up is fostered by the ICB;
 - 23.5.5 Ensure issues raised are used as opportunities for learning and improvement;
 - 23.5.6 Raise the profile of raising concerns in the ICB;
 - 23.5.7 Ensure learning from whistleblowing cases is fed back to the wider ICB;
 - 23.5.8 Provide reports on whistleblowing activity to the Board of Members and/or Audit Committee and/or Executive Team as required;
 - 23.5.9 Appoint an investigator into concerns that have been raised where appropriate and that there is a suitable level of independence;
 - 23.5.10 Ensure cases are progressed in a timely manner;
 - 23.5.11 Provide independent advice to workers on speaking up and/or the way their concern has been handled;
 - 23.5.12 Determine if matters raised are Qualified Disclosures where this is in dispute;
 - 23.5.13 Oversee the Freedom To Speak Up Ambassadors and ensure they are provided with appropriate training to enable them to properly carry out their role.
- 23.6 The Freedom To Speak Up Ambassadors shall:
 - 23.6.1 Support the Freedom To Speak Up Guardian in their role;
 - 23.6.2 Champion a culture where speaking up is seen as a positive activity and workers feel encouraged and safe to do so as part of the normal course of business;
 - 23.6.3 Be a point of contact for any ICB worker who wishes to speak up or find out more information about the process;
 - 23.6.4 Encourage staff to raise concerns at the earliest opportunity;
 - 23.6.5 Provide information to workers on the speaking up process and raise any issues or concerns with the Guardian as appropriate;
 - 23.6.6 Support workers who speak up and help guide them through the process;
 - 23.6.7 Support workers in investigation meetings where the workers has requested that they are accompanied by a Freedom To Speak Up Ambassador at any such meeting;
 - 23.6.8 Contribute ideas and insights as to how the ICB can develop and maintain a transparent and open culture in which encourages staff to raise concerns;
 - 23.6.9 Remain impartial yet supportive, showing compassion and empathy to all;
 - 23.6.10 Provide feedback to the Guardian where workers have had difficulties or faced barriers to speaking up;
 - 23.6.11 Attend training where required;
 - 23.6.12 Be part of a network that works together to create a culture which is open and learns from mistakes;
 - 23.6.13 Not advocate for workers who speak up or wish to speak up or be their representative but rather provide support and guidance on the speaking up process.
- 23.7 The Primary Care Freedom To Speak Up Guardian shall:
 - 23.7.1 Support primary care staff to speak up where they feel they are unable to do so by other routes;

- 23.7.2 Raise concerns with GP practices as appropriate;
- 23.7.3 Raise the profile of speaking up in Primary Care;
- 23.7.4 Share examples of good practice.

23.8 The Governance, Risk and Legal Services Team shall:

- 23.8.1 Write and be responsible for amending this policy;
- 23.8.2 Provide advice and support on this policy;
- 23.8.3 Support the Freedom to Speak Up Guardian as appropriate;
- 23.8.4 Support the Freedom to Speak Up Ambassadors as appropriate;
- 23.8.5 Provide advice to workers on speaking up and the speaking up (whistleblowing) process;
- 23.8.6 Provide advice on any investigations carried out in accordance with this policy, as appropriate.

23.9 The HR Team shall:

- 23.9.1 Provide advice to and arrange training for workers on speaking up and the speaking up (whistleblowing) process;
- 23.9.2 Support any HR processes associated with this policy/investigation outcome;
- 23.9.3 Support the Freedom To Speak Up Guardians as appropriate;
- 23.9.4 Support the Freedom To Speak Up Ambassadors as appropriate.

23.10 Managers shall:

- 23.10.1 Ensure all staff are aware of this policy, have read and understood it and have received appropriate training;
- 23.10.2 Support an open culture and an environment where workers feel they can speak up informally or formally as soon as issues arise so that they can be proactively addressed;
- 23.10.3 Address informal concerns raised by their staff with them promptly, escalating to the Freedom To Speak Up Guardian if required;
- 23.10.4 Ensure workers are not victimised or otherwise suffer any unlawful detriment to their employment due to them making Qualifying Disclosures;
- 23.10.5 Ensure matters raised informally are dealt with appropriately;
- 23.10.6 Escalate issues and seek the support of the Freedom To Speak Up Guardian where required;
- 23.10.7 Support the Freedom To Speak Up Ambassadors.

23.11 All workers shall:

- 23.11.1 Treat each other with dignity, respect and civility;
- 23.11.2 Support and encourage a culture of openness, transparency and safety, where speaking up about wrongdoing is viewed as a positive activity;
- 23.11.3 Speak up about actual or perceived wrongdoing in accordance with the provisions of this policy;
- 23.11.4 Raise genuine concerns internally first to allow the ICB the opportunity to address any concerns unless this is not possible;
- 23.11.5 Act fairly, honestly, transparently and with respect when raising, handling or responding to concerns;
- 23.11.6 Participate openly and honestly in any investigations as required and treat any information about the investigation as confidential;
- 23.11.7 Ensure no worker who speaks up and makes a Qualifying Disclosure in accordance with this policy is threatened, bullied, victimised or otherwise suffers an unlawful detriment to their employment due to them making a Qualified Disclosure;
- 23.11.8 Not raise any false, vexatious and/or malicious concerns and/or knowingly abuse the speaking up (whistleblowing) process;
- 23.11.9 Support the Freedom To Speak Up Ambassadors.

SCHEDULE 1 KEY CONTACTS

Governance, Risk and Legal Services Team

Andrew Spicer, Assistant Director of Governance, Risk and Legal Services

E-mail: andrew.spicer1@nhs.net

HR Team

HR Team

E-mail: nclicb.hr@nhs.net

ICB Freedom To Speak Up Guardian

Ian Porter, Executive Director of Transition

E-mail: ian.porter3@nhs.net

For clinical concerns staff are encouraged to contact:

Jennifer Roye: Chief Nursing Officer

E-mail: j.roye1@nhs.net

Primary Care Freedom To Speak Up Guardian

James Avery, Clinical Director

E-mail: jamesavery@nhs.net

Freedom To Speak Up Ambassadors

Julian Chiew, Primary Care Planning, Operations and Improvement Senior Manager

E-mail: j.chiew@nhs.net

Rosalia Delfino, Integration and Partnerships Senior Manager

E-mail: rosalia.delfino@nhs.net

Caroline Gillett, Planning Operations and Improvement Manager

E-mail: caroline.gillett3@nhs.net

Samantha Watson, Executive Assistant

E-mail: sam.watson7@nhs.net

Local Counter Fraud Specialists

Matt Wilson

Tel: 07484 040 691

E-mail: matt.wilson2@nhs.net

Kirsty Clarke

Tel: 07436 268 545

E-mail: kirsty.clarke8@nhs.net

ICB Audit Chair

Simon Perry

E-mail: simon.perry3@nhs.net

SCHEDULE 2

PROCESS FOR WORKERS TO SPEAK UP

1. Step 1

- 1.1 If a worker has a concern about wrongdoing at work they should raise it with their line manager in the first instance if the worker feels comfortable doing so. This may be done verbally or in writing.
- 1.2 If a worker wants to seek advice or guidance before raising any concerns they may speak with the Freedom To Speak Up Guardian or with one of the Freedom To Speak Up Ambassadors. The discussion will be treated in confidence.

2. Step 2

- 2.1 If a worker feels unable or uncomfortable raising their concerns about wrongdoing with their line manager they may do so with either the Freedom To Speak Up Guardian or with one of the Freedom To Speak Up Ambassadors. If a concern is raised with a Freedom To Speak Up Ambassador the Freedom To Speak Up Ambassador will in turn raise it with the Freedom To Speak Up Guardian unless the concern is specifically about the Freedom To Speak Up Guardian. In which case the Freedom To Speak Up Ambassadors will raise it with the ICB's Audit Chair.

3. Step 3

- 3.1 If a worker feels unable to raise their concerns about wrongdoing with the Freedom To Speak Up Guardian or the Freedom To Speak Up Ambassadors they may raise it with the ICB's Audit Chair. The Audit Chair will be supported by the Governance and Risk Team.

4. Step 4

- 4.1 If the worker still feels unable to raise their concerns about wrongdoing internally then they may formally raise their concerns with the following external bodies (please see their websites for their contact details):

NHS England- ICBs

NHS England assures the operations of ICBs. Therefore, ICB staff may contact NHS England with a concern in the following circumstances:

- Where the ICB's internal processes have been exhausted and the wrongdoing still seems to be taking place; or
- The concern is about the Board of Members as a whole, ICB Chair or Chief Executive.

NHS England- Hospitals and Other NHS Providers

For concerns about:

- How NHS Foundation Trusts and Trusts are being run;
- Other providers with an NHS provider licence;
- NHS procurement, choice and competition;
- The national tariff.

NHS England Commissioned Services

For concerns about the following services:

- Primary medical services (GP practices);
- Primary dental services;
- Primary ophthalmic services;

- Local pharmaceutical services;
- Specialist commissioning.

NHS Counter Fraud Authority

For concerns about fraud and corruption.

Care Quality Commission

For concerns about serious patient safety issues or issues relating to condition of registration.

Relevant Professional Regulator

These are for allegations regarding a clinician's fitness to practice. Professional regulators include but are not limited to:

- General Medical Council- for doctors;
- Nursing and Midwifery Council- for nurses and midwives;
- General Dental Council- for dentists;
- General Pharmaceutical Council- for pharmacists.

Health Education England

For concerns about education and training in the NHS.

SCHEDULE 3 PROCESS FOR EXTERNAL PARTIES TO RAISE CONCERNS

If any person from outside of the ICB wishes to raise a concern about any wrongdoing they may do so by writing to the Freedom To Speak Up Guardian as follows:

Freedom To Speak Up Guardian

Ian Porter, Executive Director of Transition

E-mail: ian.porter3@nhs.net

If it is a clinical concern people are encouraged to contact:

Jennifer Roye: Chief Nursing Officer

E-mail: j.roye1@nhs.net

Please include the following information:

- Your name: Please provide your full name;
- Your contact details: Your e-mail address and telephone number;
- The nature of your concern: Please provide sufficient detail so that we can understand what your concern is about, the nature of the actual or suspected wrongdoing, the timeframe, any people you know or suspect may be involved and details of any evidence you have. Please note you do not have to have physical evidence in order to raise a concern.

Please note that the Freedom To Speak Up Guardian should not be contacted about general complaints. It should only relate to wrongdoing as set out in section 8 of this policy and as pertains to the ICB. For general complaints please refer to our Complaints Policy and our website here: <https://nclhealthandcare.org.uk/contact/complaint-concern-or-compliment/>

For concerns about GP practices please contact the Primary Care Freedom To Speak Up Guardian. Contained details are contained in Schedule 1.

SCHEDULE 4 WORKER WELLBEING AND SUPPORT CHECKLIST

The following checklist is to support those investigating formal concerns under this policy to ensure those workers speaking up are treated fairly and are supported:

Pre-Meeting

Question	Yes/No
Has the worker been thanked for raising their concerns?	
Has the worker been provided with a copy of the ICB's Speaking Up (Whistleblowing) policy or told where they can find it?	
Has the worker been invited to a meeting to discuss their concerns?	
Has the worker been given the opportunity to have a colleague, Speak Up Ambassador or their Trade Union rep present when meeting to discuss their concerns?	
If the worker would like a colleague, Speak up Ambassador or their Trade Union representative present when meeting to discuss their concerns has the meeting been scheduled to accommodate this?	
Is the meeting being held in an environment where the worker can speak freely, safely and in confidence? This may need to be in a place outside of the ICB's premises.	
Has a Freedom To Speak Up Guardian been informed of the concern that has been raised?	
Has the worker being offered any welfare support through Occupational Health & Employee Assistance Programme?	

At The Meeting

Question	Yes/No
Has the worker been thanked for attending the meeting to raise their concerns?	
Is the meeting in a space where the worker can speak freely, safely and in confidence?	
Does the worker need any support at the meeting?	
At the meeting has the worker been able to fully express their concerns? Do they feel that they have had their concerns understood?	
Has the worker made a Protected Disclosure? Have they been informed of this?	
What is the workers wishes with respect to confidentiality?	

Does the worker need access to any support mechanisms such as advice, mentoring, counselling, mediation and/or dispute resolution? These should be discussed and agreed with a Freedom To Speak Up Guardian.	
Have you discussed the next steps with the worker?	

Post Meeting

Question	Yes/No
Has the worker been provided with a summary of the meeting to ensure their concerns have been properly understood?	
Have any agreed support mechanisms been put into place for the worker?	
Has the worker been kept up to date with the progress of the investigation (this only applies if it is appropriate to do so and to the extent it is appropriate to do so)?	
Has the outcome of the investigation been reported to them within a reasonable timeframe (this only applies if it is appropriate to do so and to the extent it is appropriate to do so)?	
Are there any lessons as a result of the investigation that can be shared with the worker?	