

Plymouth University

Peninsula Schools of Medicine and Dentistry

Raising Concerns Policy and Procedure

1. INTRODUCTION

- 1.1 The Faculty's Raising Concerns Policy and Procedure aims to afford students and staff, all of whom are members of the wider University community, a clear, safe, confidential and effective process for dealing with reported serious professional behaviour breaches, experienced within its constituent Schools or external organisations. All members of the University's community have a right and responsibility to report concerns about conduct or professional behaviour, especially where there is a risk to patient safety.

We also recognise that an important role of our clinical curricula is to provide students with the skills and confidence to raise concerns, particularly those which impact on patient safety and care, both as students and future clinicians.

The reporting procedure outlined in this policy has been mapped onto existing policies of Plymouth University wherever possible.

- 1.2 Plymouth University's working culture is one of trust, empowerment, transparency and accountability¹ and to the principles of academic freedom. All members of the University are free to make a complaint, pursue a grievance or highlight an instance of possible misconduct in the University or the activities of its staff at the earliest opportunity. Such issues may be dealt with through the normal channels of communication (via Heads of School or Directorate), and / or through existing University procedures such as the University complaints or grievance procedures.

However, the University acknowledges that there may be instances in which members of the University may feel that to use those processes may in some way jeopardise their own position within the institution, or that the normal channels would be inappropriate given the nature of the concern. Therefore members of the University may use this Raising Concerns procedure to raise either a concern about academic or professional malpractice or a concern about patient safety or compromised care.

¹ Plymouth University Strategy 2020 p.5

2. SCOPE OF THE PROCEDURE

The Faculty's Raising Concerns policy and procedure is designed to deal with concerns that fall outside the scope of other University policies and procedures such as the Public Interest Disclosure Policy and Procedure. While the following examples are not designed to be an exhaustive list, any member of the Faculty or the wider University community have the potential to raise concerns relating to:

Academic or professional malpractice

- Financial malpractice, impropriety or fraud, including improprieties in financial reporting
- Corruption, bribery or blackmail
- Other alleged criminal activity
- Undeclared conflicts of interest
- Unethical behaviour and/or breach of professional or regulatory guidelines
- Acting outside procedural authority
- A miscarriage of justice
- Failure to comply with a legal or regulatory obligation, including the requirements of the Instrument and Articles of Government
- Danger to the health and safety of any individual or to the environment
- Attempts to obstruct or frustrate the exercise of academic freedom within the institution
- Professional malpractice, for example theft of intellectual property

Patient Safety or compromised patient care

- Danger to the health and safety of any individual or to the environment
- Patient mistreatment, abuse or infringement of patient dignity
- Unethical care or care which breaches professional guidance
- Inappropriate administration of medication
- Inappropriate patient treatment beyond the scope of practice
- Inappropriate or fraudulent completion of clinical documentation
- Deliberate attempts to conceal any of the above

3. SAFEGUARDS

The Faculty expects that any concerns will be raised lawfully, without malice and in good faith based on the values of trust and accountability.

We will:

- treat all disclosures confidentially and in a sensitive manner and consider all reports carefully and confidentially
- as far as possible, maintain the anonymity of individuals raising concerns or providing information or evidence to the investigation
- advise any individuals involved should the investigating officer believe it necessary to identify them in the course of the investigation, and seek their permission before doing so
- ensure that individuals raising genuine concerns or contributing to an investigation will not be subject to harassment or victimisation

You will not be discriminated against during your programme of study or in your working life within the University as a result of raising a concern.

4. PROCEDURES FOR RAISING A CONCERN

- 4.1 A key component of the process is the identification of a designated Raising Concern Lead (RCL). The RCL will normally be the Associate Dean for Strategic Planning & Liaison, although the RCL role can also be assumed by the relevant Head of School or nominee and Head of Administration where appropriate. The role of the RCL will be reviewed annually by the Faculty Board to ensure there is on-going accessibility to the RCL by students and staff.

The RCL provides a secure environment for the individual raising the concern (“the reporter”) to divulge relevant issues safely. Based on their discussions, the RCL may then initiate a careful investigation, working sensitively with external partners/agencies, if appropriate, that should normally lead to a satisfactory outcome. At all stages of the process the reporter is supported by the RCL and is, as far as possible, kept informed of progress.

- 4.2 The Faculty Board delegates responsibility to the Faculty’s Academic Services to monitor the Raising Concerns process and record final outcome data.

4.3 Reporters

- 4.3.1 The reporter must act responsibly and professionally in making the report.
- 4.3.2 The Faculty recognises that students or staff may feel particularly vulnerable to possible discrimination having made such a report and need to be confident in this process. Any person who makes a report will not be penalised or be subject to any detriment on the ground of having made the report. In the event

of malicious or vexatious reports, disciplinary action may be taken against the individual concerned.

4.3.3 The reporter's identity will remain confidential (if so requested) as far as possible. The reporter's identity will only be released on a 'need-to-know' basis when/if further investigation becomes necessary. The reporter, however, must be aware that they may be called as a witness during any enquiry arising as a result of the report.

4.3.4 Reporters are encouraged to put their name to any concerns they raise. Concerns submitted anonymously will be considered at the discretion of the Faculty taking into account:

- the seriousness of the issues raised
- the credibility of the concerns on the basis of the information provided
- the likelihood of confirming the allegation from alternative credible sources or documentary evidence

4.4 ***The Faculty***

4.4.1 The Faculty, partner trusts, their staff and the students and the wider University community should be fully aware of this policy and procedure. The Faculty will take all appropriate steps to raise awareness of the Raising Concerns policy and procedure to all stakeholders.

5. **PROCEDURE**

5.1 As a potential reporter or as part of a group of reporters you may wish to first discuss your concern with an independent advisor e.g. a Facilitator, Pastoral Tutor, Academic Tutor, or Senior Academic Tutor prior to raising a concern formally. The Faculty recognises that there are a number of settings in which concerns may be discussed. For example students often share concerns, and the perceived barriers to reporting them, in small group settings. Staff members may consider approaching their Line Manager or an experienced/senior colleague.

5.2 A reporter will approach the RCL with their concern as soon as possible after the issue has been identified, with any appropriate evidence. A verbal or written approach may be made to the RCL. In the event that the concern involves the RCL, the individual wishing to report a concern should make their report to the relevant Head of School or Head of Administration.

- 5.3 The RCL will review the concern in confidence and discuss the possibilities for action with the reporter. In any face-to-face discussions with the RCL, the reporter may be accompanied. By agreement, the RCL will arrange for notes to be taken of these discussions.
- 5.4 The RCL will decide whether the concern should be addressed under an alternative University procedure e.g. University complaints or grievance procedure. If so, the RCL will advise the reporter of this, explain the reasons and the steps which should be taken. Otherwise, the RCL will carry out an investigation as far as is possible and then decide if further action needs to be taken. This will depend on the nature of the matter but may involve referral on to other internal or external bodies/agencies.
- For instance:
- a. A behaviour that is thought to be criminal, e.g. drug related issues or theft may be referred to the police.
 - b. A behaviour that threatens patient safety which is committed by a Trust employee should be considered under the Trust procedures, and thus will require referral to that Trust.
 - c. A behaviour thought to compromise a student's fitness to practise/study will be considered under the Fitness to Practise, Fitness to Study or Disciplinary Procedures.
- 5.5 As far as possible and subject to confidentiality and other legal constraints, the RCL will inform the reporter of developments on the basis that the reporter will keep the information confidential.
- 5.6 At the conclusion of the process the RCL will provide Academic Services with a report of the investigation so that it may be recorded and reported to the Faculty Board including a statistical analysis omitting any identifiable information.
- 5.7 Academic Services will maintain an overview of any consequences.
- 5.8 When the Faculty's internal raising concerns procedure has been exhausted, the reporter may seek further recourse from Plymouth University.

6. PUBLIC INTEREST DISCLOSURE ACT 1998

All UK employees are protected under the Public Interest Disclosure Act 1998 when they make a *protected disclosure*. This is a disclosure of information which, in the reasonable belief of the employee making the disclosure, covers the following employer activities:

- a criminal offence has been, is being, or is likely to be committed
- a person has failed, is failing, or is likely to have failed to comply with any legal obligation to which they are subject
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health and safety of an individual has been, is being, or is likely to be endangered
- the environment has been, is being, or is likely to be damaged
- information relating to the above is being deliberately concealed

7. Links to useful documents

University resources

<https://www.plymouth.ac.uk/your-university/governance/student-handbook>

Staff intranet – HR Community for Grievance Policy

Professional Regulatory Bodies

1. Raising and acting on concerns about patient safety, General Medical Council 2012
2. Tomorrow's Doctors, General Medical Council September 2009
3. Medical Students: professional values and fitness to practise, General Medical Council 2009
4. GMC Helpline: 0161 923 6399
5. Raising and escalating concerns, General Dental Council 2010
6. Preparing for Practice, General Dental Council 2012
7. GDC Helpline: 0845 222 4141
8. Raising and escalating concerns in the workplace, Health and Care Professions Council www.hpc-uk.org/registrants/raisingconcerns
9. Raising concerns about a registrant, Registration Council for Clinical Physiologists www.rccp.co.uk/articles/21/How-do-I-raise-a-concern-about-a-registrant

Useful Contacts

BMA Medical Students Whistle Blowing – Guidance from the MSC – February 2008 <http://bma.org.uk/practical-support-at-work/whistleblowing>

NHS Raising concerns at work <http://www.nhsemployers.org/your-workforce/retain-and-improve/raising-concerns-at-work-and->

[whistleblowing/information-for-nhs-staff](#) Whistleblowing Helpline 08000 724725

Public Concern at Work www.pcaw.co.uk Helpline: 020 7404 6609

Care Quality Commission www.cqc.org.uk Helpline: 03000 616161

Health and Safety Executive www.hse.gov.uk Telephone: 0845 345 0055

Public Interest Disclosure Act (PIDA) HMG 1998

Version	Date	Author(s)	Replaces	Comment
v1.0	January 2014	Terry Vallance		
v2.0	October 2015	Terry Vallance	2013-14 v1.0 above	
v3.0	December 2015	Natalie Dixon	v2.0	Updated links. Removed 'whistleblowing' from title

Raising Concerns Flow Chart

