

Faculty of Medicine and Dentistry, University of Plymouth

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 concerns about risks to patient safety, reports of professional behaviour breaches experienced within its constituent Schools or external organisations, or concerns about student health and welfare. All members of the University's community have a right and responsibility to report their concerns, especially where there is a risk to patient or student 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.

Concerns raised by members of the public or external organisations will also be investigated under this policy.

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

- 1.2 The 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 Line Managers), 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 has the potential to raise concerns relating to:

Concerns about students

- Health or welfare concerns
- Unprofessional behaviour

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

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

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.
- take action if individuals raising genuine concerns or contributing to an investigation are subjected to harassment or victimisation.
- ensure that any person who makes a report is not penalised or treated detrimentally by the University or Faculty on the ground of having raised 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 and Liaison or a nominated senior member of staff from within the Faculty, although the RCL role can also be assumed by the relevant Head of School or nominee, or Head of Administration where appropriate.

The role of the RCL is to provide 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. Where appropriate, the RCL will provide some feedback to the reporter.

- 4.2 The Faculty Board delegates responsibility to the Faculty’s Professional Services Team 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. In the event of malicious or vexatious reports, disciplinary action may be taken.

- 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. Support and guidance will be provided as necessary.
- 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 and other organisations, 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, Personal 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 should email the RCL on the dedicated confidential email address MD-concerns@plymouth.ac.uk as soon as possible after the issue has been identified, with any appropriate evidence. 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 an employee of an NHS Trust, Peninsula Dental Social Enterprise (PDSE), or other placement provider will be referred to that institution for consideration under their relevant procedures.
 - c. For students registered on clinical programmes involving contact with patients, a behaviour thought to compromise a student's fitness to practise or study will be further considered under the Fitness to Practise policy.
 - d. Where the Fitness to Practise policy is not relevant, a behaviour thought to compromise a student's fitness to study will be further considered under the 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 Where concerns are referred to external organisations including an NHS Trust, Peninsula Dental Social Enterprise (PDSE), or other placement provider the RCL will ensure that the Faculty is informed of the eventual outcome of the concern.
- 5.7 At the conclusion of the process the RCL will provide Professional 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.
- 5.8 Professional Services will maintain an overview of all outcomes.

- 5.9 When the Faculty's internal raising concerns procedure has been exhausted, the reporter may discuss the matter further with the University Complaints and Appeals Office.

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 (GMC) <https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/raising-and-acting-on-concerns>
2. Raising concerns about medical education and training, GMC <https://www.gmc-uk.org/education/how-we-quality-assure/raising-concerns-about-medical-education-and-training>
3. Professional behaviour and fitness to practise, GMC 2016 <https://www.gmc-uk.org/education/standards-guidance-and-curricula/guidance/professional-behaviour-and-fitness-to-practise>
4. GMC Helpline: 0161 923 6602
5. Advice for professionals raising a concern General Dental Council (GDC) <https://www.gdc-uk.org/professionals/ftp-prof/advice-on-concern>
6. Preparing for Practice, General Dental Council 2012 [https://www.gdc-uk.org/api/files/Preparing%20for%20Practice%20\(2012%20v1\).pdf](https://www.gdc-uk.org/api/files/Preparing%20for%20Practice%20(2012%20v1).pdf)
7. GDC Helpline: 0800 6681329 (operated by Public Concern at Work)

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 <https://www.bma.org.uk/-/media/files/pdfs/practical%20advice%20at%20work/your%20rights/whistleblowingmsc.pdf>

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

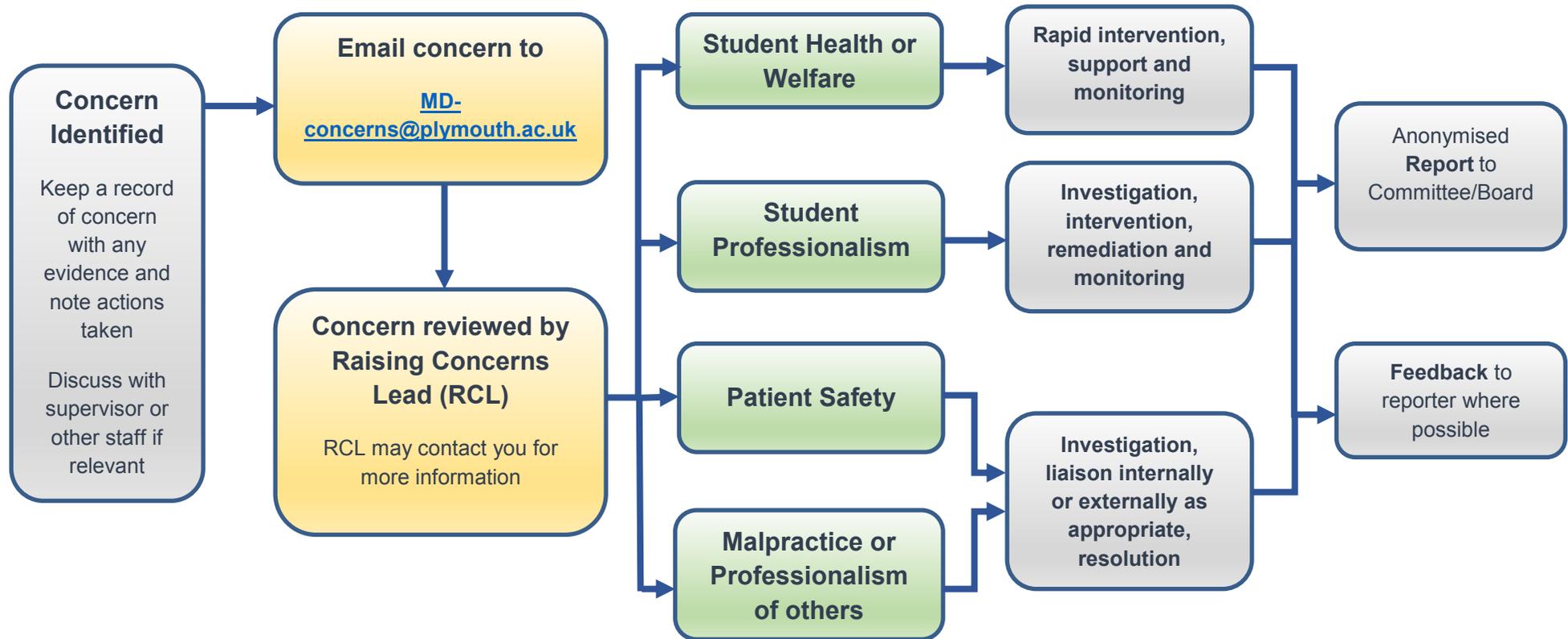
Health and Safety Executive www.hse.gov.uk

[Public Interest Disclosure Act \(PIDA\) HMG 1998](#)

Version	Date	Author(s)	Comment
v1.0	January 2014	Terry Vallance	
v2.0	October 2015	Terry Vallance	
v3.0	December 2015	Natalie Dixon	Updated links. Removed 'whistleblowing' from title
v4.0	September 2018	Quality	Faculty name change. Updated links. Amendment to role of RCL. Introduction of generic email address



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Concern can be escalated to University or professional body:

Senior University staff Medical defence body The General Medical Council The General Dental Council
The NHS Whistleblowing Helpline (08000 724 725) Public Concern at Work (020 7404 6609)

Keep a record of your actions.

www.plymouth.ac.uk/your-university/about-us/university-structure/faculties/medicine-dentistry/policies