

 <p>lechyd Cyhoeddus Cymru Public Health Wales</p>	<p>Reference Number: PHW/SCD19 Version Number: 1 Date of Next review: 6 February 2027</p>
<p>PROTOCOL FOR THE REPORTING AND OVERSIGHT OF SPEAKING UP SAFELY WITHIN PUBLIC HEALTH WALES</p>	
<p>Introduction and Aim</p> <p>The purpose of this protocol is to translate the requirements within the Speaking Up Safely Framework into practice for Public Health Wales, and to set out the processes in place to support effective and successful implementation of the Framework.</p> <p>This includes an outline of the governance arrangements relating to the management and oversight of Speaking up Safely within Public Health Wales and guidance and support for staff on how to speak up safely.</p> <p>The protocol is designed to reflect our cultural aim of ensuring all staff feel able to and understand the mechanisms to raise complaints and concerns. The protocol accommodates all types of complaints and sets out the process by which complaints made are matched to and progressed in accordance with the appropriate policy.</p>	
<p>Linked Policies, Procedures and Written Control Documents All corporate policies and procedures are available on the Public Health Wales website</p> <p>Speaking Up Safely is an initiative which supports, rather than replaces, existing policy, such as:</p> <ul style="list-style-type: none"> • Procedure for NHS Staff to Raise Concerns • NHS Wales Policy: Respect and Resolution • Welsh Government Law: The Health and Social Care (Quality and Engagement) (Wales) Act • UK healthcare regulation: e.g. codes of practice provided by the NMC, HCPC and GMC • UK Law: Public Interest Disclosure Act 1998 • Safeguarding Policy and Procedures • Counter Fraud Procedure 	
<p>Scope</p> <p>This Protocol applies to all Public Health Wales Staff, including Hosted Bodies.</p>	
<p>Equality and Health Impact Assessment</p>	<p>An Equality, Welsh Language and Health Impact Assessment has been completed and can be viewed on the policy webpages.</p>
<p>Approved by</p>	<p>People and Organisational Development Committee</p>
<p>Approval Date</p>	<p>6 February 2024</p>



Review Date	6 February 2027
Date of Publication:	15 February 2024
Accountable Executive Director/Director	Board Secretary and Head of the Board Business Unit Director of People and Organisational Development
Author	Deputy Board Secretary and Board Governance Manager Head of People and OD Operations•

Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Board Business Unit](#)

Summary of reviews/amendments

Version number	Date of Review	Date of Approval	Date published	Summary of Amendments
1	2023	06/02/24	15/02/24	New Document



1.	Introduction	4
2.	Objectives of the Speaking Up Safely Framework	5
3.	What do we mean by Speaking Up Safely?	5
4.	Speaking Up Safely System	6
4.1	Anonymity	7
4.2	Protected Disclosure (Whistleblowing)	7
4.3	Dealing with concerns from/about organisational leaders	8
4.4	Support	8
5.	Roles and Responsibilities	10
5.1	All Staff	10
5.2	Managers.....	10
5.3	Board and Executive Team (Organisational Leaders)	11
5.4	Speaking Up Safely Champion	12
5.5	Hosted Body Organisations.....	13
6.	Speaking Up Process	14
	Stage 1: What Type of Concern is it?	14
	Stage 2: Report	19
	Stage 3: Case Management	21
	Stage 4: Outcome	22
	Stage 5: Case Review and Learning	23
7.	Learning from Concerns Raised and Staff Experiences of Raising Concerns	24
8.	Reporting arrangements to the Board	24
9	Training and Awareness Raising	25
10	Stakeholders	25
11.	Review of this protocol and feedback	27



1. Introduction

The Speaking Up Safely Framework was launched by Welsh Government in collaboration with Trade Unions and NHS Wales employers in September 2023: <https://www.gov.wales/nhs-wales-speaking-safely-framework>

This Framework is an outline of the needs and expectations of NHS Wales organisations in supporting all staff to 'speak up safely'. Public Health Wales adopted the Framework on 26 October 2023, and committed itself to a self-assessment action plan setting out how the framework would be embedded within the organisation.

The Framework sets out the responsibilities of organisations, their Executive teams and Boards, along with those of managers and individual members of staff (and volunteers) in creating a culture in which 'Speaking Up', alongside timely and appropriate response to any concerns raised, is supported within a psychologically safe environment.

The purpose of this protocol is to translate this Framework into practice for Public Health Wales and to set out the processes in place to support effective and successful implementation of the Framework.

The principles and practices associated with Speaking Up Safely should be considered within the broader NHS Wales and UK policy context.

Speaking Up Safely is an initiative which **supports**, rather than replaces, existing policy, such as:

- Procedure for NHS Staff to Raise Concerns
- NHS Wales Policy: Respect and Resolution
- Welsh Government Law: The Health and Social Care (Quality and Engagement) (Wales) Act
- UK healthcare regulation: e.g. codes of practice provided by the NMC, HCPC and GMC
- UK Law: Public Interest Disclosure Act 1998 The Speaking Up Safely Framework has also been informed by international guidelines and research evidence
- Safeguarding Policies and Procedures
- Counter Fraud Policy



2. Objectives of the Speaking Up Safely Framework

The overall objective of the framework is to enable the organisation to foster a culture where concerns are openly raised, are dealt with promptly and appropriately and escalated appropriately if required, and to encourage feedback and learning from experiences.

This is achieved through:

- Fostering a culture where concerns are openly raised, are dealt with promptly and appropriately and escalated appropriately if required.
- Promoting a supportive environment where staff feel confident and psychologically safe to raise concerns without fear of reprisal or victimisation.
- Ensuring that all concerns are treated seriously, fairly, and promptly and that appropriate actions are taken as a result.
- Encouraging learning and improvement from the feedback and experiences of staff and patients.
- Aligning with existing policies and procedures on raising concerns (whistleblowing), respect and resolution and complaints handling.

3. What do we mean by Speaking Up Safely?

Definition

Speaking up occurs when a member of staff at PHW identifies a concern, which is then raised with someone with the authority to act.

Also referred to as raising concerns, whistleblowing, speaking out

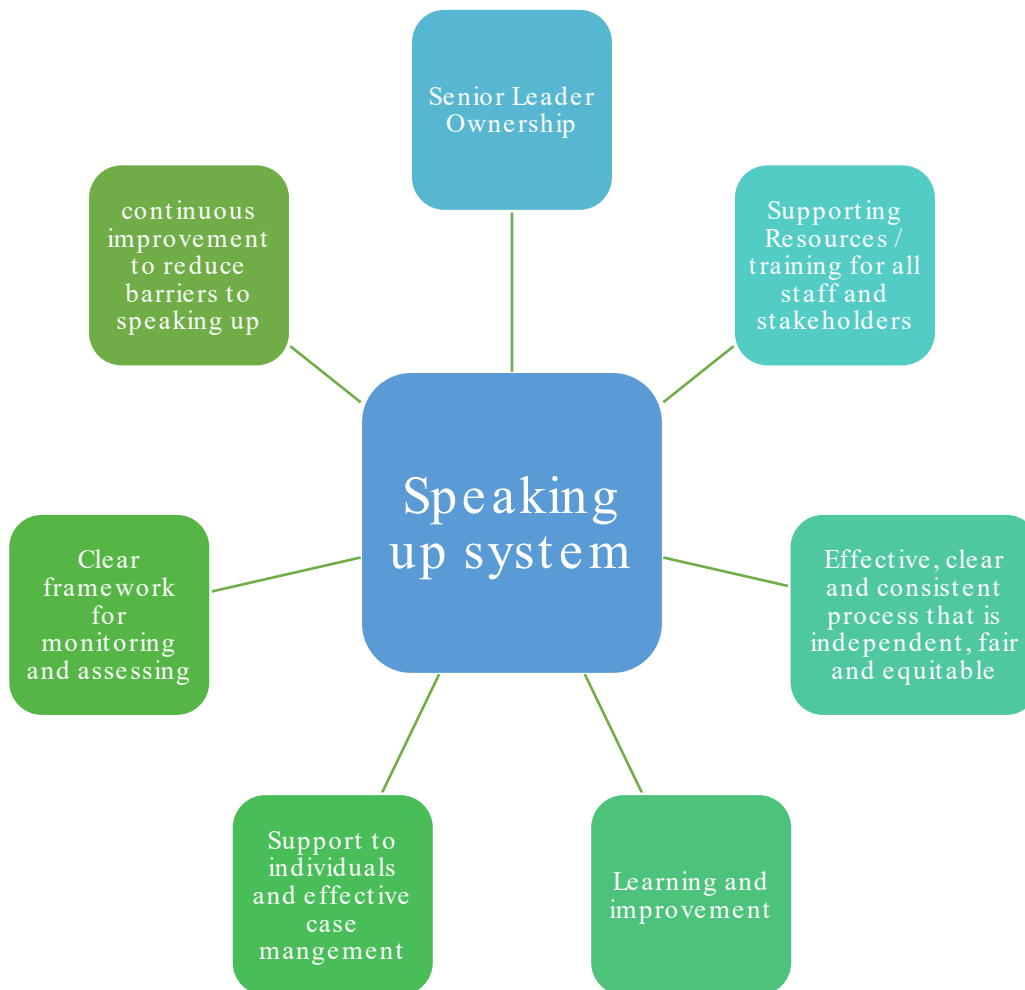
Having an effective speak up system and process in place avoids harm to staff, patients and the public. It also enables the organisation to improve and safeguard patient safety / outcomes, as well as staff safety and processes.



4. Speaking Up Safely System

This Protocol will set out and outline the systems and processes in place to support effective implementation of the framework and to translate this into action.

The diagram below establishes our expectations for our Speaking Up Safely system



The Speaking Up Safely framework sets out the informal approaches that staff should utilise in order to raise a concern in the workplace. There are a number of avenues by which an individual can speak up.

This protocol ensures a consistent approach and recording for those who speak up. The following provides additional information on specific areas.



4.1 Anonymity

Colleagues are encouraged to raise concerns openly. However, there may be circumstances when individuals may request that their identity is not revealed. In this case, the organisation will not disclose their identity without their consent (unless required to so by law).

There may be times when the organisation may be unable to resolve a concern without revealing the individual's identity, for example where personal evidence is essential. In such cases, the organisation will discuss with the individual whether and how the matter can best be managed.

When a concern is submitted as part of the process, this can be done anonymously via an online form; you do not need to submit your details as part of this process. We encourage you to include your details so that we can keep in touch with you on the progress and outcome of the issue raised.

If you include your details, only the reviewing team who need the information as part of the process will have access to this information:

- People and OD Team (approx. 4 team members and 2 managers) who will be assessing the concern and communicating with you on the next steps
- The Board Secretary, and Deputy Board Secretary who maintain a central log to ensure concerns dealt with in line with process.
- Any investigation will require an investigative officer to have details of the case.

Where the concern is a matter of staff or patient safety in line with a duty of care, there may well be the need for escalation and anonymity may not be able to be maintained. Where this cannot be avoided, this will be made clear to the individual who has raised the concern.

4.2 Protected Disclosure (Whistleblowing)

There are specific legal requirements that apply to organisations should the concerns be considered as Whistleblowing or a Protected Disclosure. More information on whistleblowing is available in the Speaking Up Safely FAQs in toolkit 2 of the Framework and you can find more information in the All Wales Procedure for NHS Staff to Raise Concerns.

A protected disclosure is defined in law by the Employment Rights Act (ERA) 1996. For a concern to be classed as a protected disclosure it needs to meet certain requirements under the ERA (1996) and tends to show one or more of the following:

- That a criminal offence has been committed, is being committed or is likely to be committed



- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject
- That a miscarriage of justice has occurred, is occurring or is likely to occur
- That the health or safety of any individual has been, is being or is likely to be endangered
- That the environment has been, is being or is likely to be damaged, or
- That information tending to show any matter falling within any one of the above has been, is being or is likely to be deliberately concealed.

If a concern is raised to a manager and they suspect the concern potentially meets these requirements, they should discuss with People and OD for further advice.

If an individual needs further independent advice, they can contact the charity Protect on 020 3117 2520, by email at whistle@protect-advice.org.uk or by [reviewing the advice available on their website](https://protect-advice.org.uk/); <https://protect-advice.org.uk/>.

You can find more information in stage 4 of the [All Wales Procedure for NHS Staff to Raise Concerns](#).

4.3 Dealing with concerns from/about organisational leaders

Where a concern is from or regarding an organisational leader, Public Health Wales will seek external independent support for the process, for example the review will be led by the Board Secretary or Director of People/Workforce/OD from another NHS Wales organisation. This is to ensure appropriate independence of the process.

If you or a member of your team has a concern regarding an organisational leader (i.e. a Member of the Executive Team and/or a Board Member), and you do not feel comfortable discussing it with your manager, or seeking advice from the People and OD team, you are advised to contact the Board Secretary directly. Anything you disclose to the Board Secretary will be treated in confidence and they will advise you on the most appropriate course of action.

4.4 Support

- **Managers** – Managers will support their colleagues who speak up and can signpost to further support and advice as needed.
- **People and OD** – The People and OD team can provide advice on the routes to Speaking Up Safely and signpost to additional sources of support and information.
- [Employee Assistance Programme \(Vivup\)](#) - Our EAP offers free confidential, impartial assistance to help you in times of need including a



24/7, 365 days helpline and telephone counselling sessions. Call 0800 023 9387 or visit <https://vivup.yourcareap.co.uk/UK/> (use code: 108611).

- **Other wellbeing support** –local wellbeing support services within the organisation, which can be found on the staff intranet, or via your manager.
- **Trade unions** – Trade Union representative(s) can provide support, advocacy and representation at all stages.
- **Non-Executive Director (NED)** – May advise on the best way to get support in raising an issue. They will not, however, advocate or represent an individual on a specific case.



5. Roles and Responsibilities

The Speaking Up Safely Framework sets out the responsibilities of organisations, their executive teams and boards, along with those of managers and individual members of staff (and volunteers) in creating a culture in which ‘Speaking Up’, alongside timely and appropriate response to any concerns raised, is supported within a safe environment.

A full list of the roles and responsibilities is outlined within the Speaking Up Safely framework. The following is a summary.

5.1 All Staff

All NHS Wales employees have a role in identifying issues and speaking up.

The following are expectations of all employees in the NHS.

- ❖ Behave in a way that encourages individuals to speak up. Encourage and be supportive of those who speak up. Do not victimise, bully or discriminate.
- ❖ Be aware of and comply with all relevant policy documents relating to Speaking Up Safely including the All Wales Raising Concerns Procedure, respect and resolution Policy, Safeguarding Procedures and Counter Fraud Procedure.
- ❖ Where you have concerns, ensure these are raised in a timely and appropriate manner in line with local policies and procedures.
- ❖ Embrace speaking up as an opportunity to learn and grow as an individual and as a team, as well as for the organisation as a whole.

5.2 Managers

People managers have a pivotal role in supporting Speaking Up Safely.

Under the speaking up system, managers are often the first point of contact for those who would speak up. It is vital that all managers are aware of their role within this process, are able to listen to the concern in a supportive and approachable manner and take action to address the issues raised.

In turn, the organisation will ensure that managers have a clear and consistent process to follow, appropriate supporting information, training and access to advice and support to guide them through the process.

The Speaking Up Safely Framework provides a toolkit for managers on what to do if someone speaks up. ([Link](#))

In summary, it covers three areas to consider when someone speaks up to you:

- ❖ **Speak up:** Recognition and validation of the courage to speak up.
- ❖ **Listen:** Non-judgmentally and actively listening to the concerns raised.
- ❖ **Act:** Action taken as a result of speaking up.



Speak Up
Listen
Act

As well as being a key part of the process, managers also have an important role in supporting a culture of speaking up within the organisation more generally.

Managers are expected to:

- Understand the framework and know what to do when a colleague raises a concern.
- Support their colleagues who speak up and respect their views and opinions.
- Engage in learning and improvement activities based on concerns raised.

5.3 Board and Executive Team (Organisational Leaders)

The Board should demonstrate its commitment to creating an open and honest culture where workers feel safe to speak up, act as role models for this within the organisation.

The Board will:



Promote a
Speaking Up
Safely Culture



Lead by
example



Challenge

Promote a speaking up culture:

- ❖ Having a sustained and ongoing focus on the reduction of bullying, harassment and incivility. Sending out clear and repeated messages that it will not tolerate the victimisation of workers who have spoken up, and taking



action should this occur, with these messages echoed in relevant policies and training.

- ❖ Be accessible to staff to provide support and guidance on how to and where to go for advice and representation for Speaking Up Safely issues.
- ❖ Supporting the creation of an effective communication and engagement strategy that encourages and enables workers to speak up and promotes changes made as a result of speaking up.

Lead by example:

- ❖ Acting as role models within the organisation.
- ❖ Include speaking up and other related cultural issues in board development programmes and Staff Partnership Fora
- ❖ Ensure a line of sight to staff within the organisation, including inviting individuals who speak up to present their experiences in person to the board (privately where appropriate).

Challenge:

- ❖ Constructively challenge the most senior people in the organisation to reflect on whether they could do more to create a healthy, effective speaking-up culture. This might involve constructively raising awareness about poor behaviours.
- ❖ Monitoring the extent to which concerns are being raised and addressed, and identifying learning and improvement needs as a result.
- ❖ Ensuring the organisation has an appropriately resourced Speaking up Safely approach and champion model.

5.4 Speaking Up Safely Champion

There is an Executive and Non-Executive Speaking Up Safely Champion:

- Non-Executive Champion
 - o Jan Williams, Chair of the Board (until 31 March 2024)
 - o Tamsin Ramasut, Non Executive Director (from 1 April 2024)
- Executive Champion - Paul Veysey, Board Secretary.

Having an Executive Lead for Speaking Up Safely helps demonstrate the organisation's commitment to speaking up. Importantly, this person should be widely considered a credible role-model of the behaviours that encourage speaking up. They should be able to show they are clear about their role and responsibility and evidence how they have helped improve the organisation's speaking-up culture.

The Executive Champion will oversee the management and implementation of Speaking Up Safely within the organisation, ensuring that the processes outlined



within this procedure are followed, including the appropriate management of cases, learning and reporting.

The Non-Executive Champion will ensure the Board receives assurance on implementation and compliance. They will also strive to ensure the Board reflects the culture and values necessary to achieve effective implementation.

5.5 Hosted Body Organisations

Hosted Bodies will use the process identified within this protocol.

Any organisation hosted by Public Health Wales will need to identify a Speaking up Safely lead from its Senior Leadership Team who will fulfil the role of the Executive Champion for their body and will oversee the case management role identified within the process below.

The Board Secretary of Public Health Wales will also be notified of any instances of Speaking Up identified within hosted bodies.

The Hosted Body Speaking up Lead will be required to provide assurance to the People and Organisational Committee that they are complying with the required processes.

The learning and reporting from any incidents from speaking up within hosted bodies will be reflected into the Public Health Wales reporting and assurance mechanisms.



6. Speaking Up Process

Within the framework, there are a number of ways in which an individual can raise a concern depending on the nature of the issue. It could be confusing for an individual to determine which route is the correct one to follow to raise their specific concern. The following is designed to help colleagues determine the route(s) available.

Stage 1: What Type of Concern is it?

This initial assessment is for the individual to consider the type of concern and to identify appropriate route(s) for raising it.

The individual or line manager can seek advice from the People and OD team at this stage if needed. If you are not sure, or just want advice, then you can go straight to Stage 2 and use the online form to request advice.

Step 1: An individual identifies a concern

All those engaged with the NHS have a contractual right and duty to raise genuine concerns with their employer about malpractice, patient safety, financial impropriety or any other serious concerns they consider to be in the public interest.

We encourage you to raise concerns at the earliest opportunity and openly without any fear of negative implications of doing so. Victimisation or harassment of an individual for speaking up / raising concerns will not be tolerated, and will be considered a serious disciplinary offence, as will any action to 'cover-up' or wilfully ignore concerns.

Any matter raised will be reviewed thoroughly, promptly and confidentially, and the individual raising a concern will receive appropriate feedback.

We encourage all concerns to be raised openly, however, there may be circumstances when individuals may request that their identity is not revealed. In this case, you can submit a concern anonymously and we will not disclose your identity without your consent (unless required to by law).

Step 2: Discuss the concern with your line manager

The Speaking Up Safely process directs individuals to raise most types of concern with their manager in the first instance.

There may be instances where the individual is not comfortable raising a concern with their manager. This could be due to the nature of the concern, because they wish to report anonymously, or their line manager is part of the concern/ issue. If



this is the case, they can either speak to another trusted individual, such as another leader within the organisation or the [Board Secretary](#) directly.

The Speaking Up Safely Framework provides a toolkit for managers setting out what to do if someone speaks up to you ([link](#)) and this is available on the intranet.

In summary, the most important three areas to consider when someone speaks up to you are:

- ❖ **Speak up:** Recognition and validation of the courage to speak up.
- ❖ **Listen:** Non-judgmentally and actively listen to the concerns raised.
- ❖ **Act:** Take action as a result of speaking up.

Speak Up
Listen
Act

The next stages of the process can either be taken forward by the individual or by the line manager. If the individual is not happy with their line managers' response, it can be escalated using the process below, without the line managers involvement or support.

At this stage, the line manager should assess and discuss whether anyone else should be involved in the process. For example, if there was immediate threat or danger, whether there was an immediate resolution identified or whether further advice or support was needed. This could take the form of involving another manager or team member to resolve the issue.

If the concern is resolved at this stage, and the individual is satisfied with the outcome of the discussion, no further action is needed. The manager should consider if there is any learning from the process that could benefit others and if so, contact the People and organisational Development Team to advise.

Step 3: Review the supporting material available on the intranet

Individuals can review the material available on the intranet and within other documents to familiarise themselves with the different types of concern, and what policies / procedures to review.

In the first instance, Public Health Wales will work with the individual to establish what the concern is and advise them on the most appropriate route to act. The organisation recognises that establishing the most appropriate path for a concern can be difficult.

The flow charts in Appendix 1 support individuals and line managers in assessing their concern and determine the most appropriate course of action.

The table below provides an overview of the processes within Public Health Wales that can be used to speak up, and an explanation of the type of concern these mechanisms can be used for.

	Documentation / Procures	Types of concerns
Raising Concerns Speaking Up Safely	<p> All Wales Procedure for NHS Wales Staff to Raise Concerns (whistleblowing) Intranet Page </p>	<p> For staff to raise concerns about possible risk, wrongdoing, patient safety, malpractice, poor quality care usually because it threatens or poses a risk to others (e.g., patients, colleagues or the public). This may include: </p> <p>Below are some examples of the type of concern that may arise:</p> <p>Delivery of care/services to patients</p> <ul style="list-style-type: none"> • Poor quality care, Malpractice in the treatment of, or ill treatment or neglect of, a patient or client. • Inappropriate relationships between patients and staff. • Acts of violence, discrimination or bullying towards patients or staff. • Inappropriate care of, or behaviour towards, a child /vulnerable adult. • Staff being mistreated by patients. <p>Health and safety</p> <ul style="list-style-type: none"> • Disregard of legislation, particularly in relation to Health and Safety at Work • Systematic failings that result in patient safety being endangered, e.g., inadequate/broken equipment, inappropriately trained staff. • Illness that may affect a member of the workforce's ability to practise in a safe manner. <p>Unlawful conduct</p> <ul style="list-style-type: none"> • Negligence. • Substance and alcohol misuse affecting ability to work. <p>Fraud, theft or corruption</p> <ul style="list-style-type: none"> • Where a criminal offence has been committed / is being committed / or is likely to be committed (or you suspect this to be the case).



		<ul style="list-style-type: none"> • Where fraud or theft is suspected. • A breach of financial procedures. • Undue favour over a contractual matter or to a job applicant has been shown. <p><i>NB: Where an issue is raised relating to fraudulent or criminal activity via a raising concern process, this will be referred to Counter Fraud to review and investigate.</i></p> <p>The cover-up of any of the above</p> <p>This procedure should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In these cases, the Respect and Resolution Policy should be used.</p>
Respect and Resolution	Respect and Resolution Policy Respect and Resolution Toolkit	<p>For staff to seek a resolution to a workplace issue relating to their own personal circumstances.</p> <p>The Respect and Resolution Policy is aimed at securing constructive and lasting solutions to workplace disagreements, conflicts and complaints. Issues that could cause disagreements, conflicts or complaints may include but are not limited to:</p> <ul style="list-style-type: none"> (a) terms and conditions of employment (b) health and safety (c) work relations (d) bullying and harassment (e) new working practices (f) working environment (g) organisational change. (h) discrimination. <p>This policy covers harassment or bullying which occurs at work and out of the workplace, such as on business trips, at work-related events or online. It covers bullying and harassment by staff (which may include contractors and agency workers) and also by third parties such as patients and visitors to our premises.</p>
Counter Fraud	Counter Fraud Procedure	<p>For staff to report potential fraud and corruption in the NHS. Fraud is deception carried out for personal gain, usually for money. Fraud can also involve the abuse of a position of trust. By 'NHS fraud' we mean any fraud where the NHS is the victim.</p>



	Counter Fraud Home (sharepoint.com)	<p>Examples are overpayment of salary, awarding of contracts where there is personal gain, fraudulently claiming expenses.</p> <p>Fraud can also involve the abuse of a position of trust.</p> <p>Online enquiry form can be used for any general enquiry to the counter fraud department and/or to report any concerns you may have in relation to a fraud or possible fraud being committed against the organisation.</p>
Putting Things Right	Putting Things Right	<p>For service users/ public who have a concern to raise as a member of the public, rather than as a member of staff. Any complaint, claim or reported patient safety incident (about NHS treatment or services) which includes triggers for Duty of Candour to be handled under the Putting Things Right arrangements</p> <ul style="list-style-type: none"> • Complaint Reporting & Management • Incident Reporting & Management • Duty of Candour Reporting & Management • Redress Management
Safeguarding	Safeguarding Vulnerable Children and Adults Policies - Public Health Wales (nhs.wales)	<p>The Wales Safeguarding Procedures set out arrangements for responding to Safeguarding concerns about those whose work, either in a paid or voluntary capacity, which brings them into contact with children or adult at risk, it also includes individuals who have caring responsibilities for children or adults in need of care and support and their employment or voluntary work brings them into contact with children or adults at risk</p> <p>These procedures support internal disciplinary procedures and provides guidance to appropriately deal with any concerns or allegations of professional abuse, neglect, or harm and to ensure that all allegations of abuse made against staff or volunteers working with children, young people and adults at risk are dealt with in a fair, consistent and timely manner.</p> <p>This could be a vulnerable individual.</p> <p>Allegations of abuse by staff. /</p>

Within this protocol and on the intranet, there are flow charts to support the assessment of the type of concern and help to decide the appropriate course of action.



Individuals may also need to consider possible resolutions that could address their concern and whether or not escalation of the concern is required.

Stage 2: Report

Step 1: Discuss with manager

It may be helpful for the individual to have a further discussion with their manager.

In some instances, it may be appropriate for the manager to raise the concern if the individual does not want to take it forward themselves.

It may be that the most appropriate course of action is to use one of the policies / processes above. If you are confident that your concern fits into one of the methods of speaking up listed above, then you can use that process to speak up.

Step 2: Use the online form to raise a concern or to contact People and OD for further advice

To ensure there is consistency in staff experience, regardless of the method used to speak up, the People and OD team will receive all concerns in the first instance via an online form, and triage the concern raised based on the information provided.

This support is also available to managers who may be unclear how to manage a concern raised with them.

The People and OD team will then direct the individual to the appropriate method of speaking up, advise them of the process to follow. This may be through one of the other methods of speaking up listed in the table above.

Step 3: Review by the People and OD Team

The People and OD team will review the information provided in the form, assess the nature of the concern and respond to the individual within 7 days to confirm receipt.

Step 4: Confirmation of process, timescales and next steps.

The People and OD team will then confirm the most appropriate process to follow and provide detailed information on the next steps for the individual to take should they wish to progress the concern further.

Step 5: Move forward to case management



GIG
CYMRU
NHS
WALES

Iechyd Cyhoeddus
Cymru
Public Health
Wales

Once the nature of the concern has been assessed, if the concern is identified as a concern to be raised through the All-Wales Procedure for NHS Staff to Raise Concerns then the procedure will be followed as set out in that document and further detail is provided below.

If it has been identified that the concern should be dealt with via one of the other methods of Speaking Up Safely, then the individual will be directed to the appropriate policy / point of contact.

If the individual disagrees with the assessment of the nature of the concern or has any further questions, they can discuss with People and OD Team, and if not satisfied, with the Board Secretary directly.

The Board Secretary will keep a central log of all Raising Concerns which will capture the nature of the concern, and a record of the outcome and action taken at each stage.

The People and OD Team will notify the Board Secretary when a concern is identified to be raised through the All-Wales Procedure for NHS Staff to Raise Concerns; and when there is any disagreement about whether or not a concern should be raised through the All Wales Procedure for NHS Staff to Raise Concerns.



Stage 3: Case Management

Once a concern has been raised, the person it is raised to should take the following action to manage the case to a satisfactory resolution.

This action may be taken by the manager, the People and OD team, the Speaking Up Safely Champion or another appropriate manager, depending on who the concern has been raised with and the nature of the concern.

The Speaking Up Safely Framework sets out a consistent approach to case management for the various concerns that could be raised; this case management process reinforces the need to communicate regularly with the individual and investigate in a timely manner. Refer to Speaking up safely flow charts at appendix 1 for more detail.

The manager/ team receiving the concern from the People and OD team will manage the case as follows:

1. Acknowledge receipt of the concern within 2 working days.
2. Review the details provided and assess the nature of the concern.
3. Meet with the individual raising the concern (within 7 working days).
4. Write to the individual with the outcome of the meeting (within 7 working days of the meeting).
5. Explain who will handle the matter; how to contact them and what further assistance may be needed; how the matter will be handled and an approximate timeframe.
6. Follow up on the concern (within a further 14 days).
7. If there is to be a formal investigation, an Investigating Officer will be appointed, and details confirmed to the person who has raised the concern.
8. Any investigation will be undertaken thoroughly and as quickly as possible (usually within a further 28 days).
9. Progress will be reviewed every 2 weeks and the individual will be updated if any of the timescales cannot be met.
10. Communicate the outcome to the individual (typically within 28 days of an investigation commencing).



Sometimes the need for confidentiality may prevent specific details of the investigation or any disciplinary action from being disclosed. All information about the investigation and outcome should be treated as confidential.

If the individual is unsatisfied with the outcome they may consider escalation to the Chief Executive, and/or Board Secretary or to other bodies, as detailed in the All-Wales Procedure for NHS Staff to Raise Concerns.

Where the concern relates to any of the nine protected characteristics as described in the Equality Act, the People and OD team will seek advice to support the investigation. For further information on protected characteristics and the Equality Act is available on the Equality and Human Rights Commission Website: [Protected characteristics | EHR \(equalityhumanrights.com\)](https://www.equalityhumanrights.com).

Stage 4: Outcome

Step 1: Conclusion of the Investigation

Once all stages of the investigation have concluded, a summary report will be collated to detail the findings of the investigation, and the outcome / actions needed to address the concern raised.

The outcome will be updated on the raising concerns log. This log is held on a confidential basis by the Board Secretary.

Step 2: Notification of outcome

The outcome of the investigation will be emailed to the individual who raised the concern (unless the concern was raised anonymously) and will also be sent to the Board Secretary.

Step 3: Escalation / Appeal

If the individual is not satisfied with the outcome of the investigation, this can be raised directly with the Board Secretary who will review the case.

Step 4: Feedback

Following the completion of the process, feedback will be sought from the individual who raised the concern via an online questionnaire and the offer of a meeting to discuss any learning / improvements.



GIG
CYMRU
NHS
WALES

Iechyd Cyhoeddus
Cymru
Public Health
Wales

Stage 5: Case Review and Learning

Step 1: Case review

The People and OD team managing the process will review the confidential case file, the feedback questionnaire and identify any learning or thematic learning that can be taken from the case. This information will be stored only within the People and OD Team in line with the people outlined within the Anonymity section above.

Step 2: Update Central log

The Board Secretary will ensure the Central log for raising concerns is updated.

The case will be included in the report to the People and Organisational Development Committee as part of the Annual Reporting process.
Refer to section 8 for more information.

This will not include any personal or confidential information, it will include a summary of any themes across the total number of speaking up instances within that year, and any learning as a result.

The Board Secretary will ensure that this information does not include any personal identifiable information or any specifics about the case.

Step 3: Learning acted on

Any immediate learning identified will be acted on and the process will be refined in year to ensure it is meeting the needs of those speaking up.



6. Learning from Concerns Raised and Staff Experiences of Raising Concerns

An online questionnaire will be issued to all individuals who have spoken up to assess their experience of the process and to gather equal opportunities monitoring data. Feedback will be evaluated monthly, and learning used to improve local processes wherever possible.

An anonymised summary of thematic learning will be included within the annual report to People and OD Committee. The Committee would welcome hearing directly from any individual who is comfortable to speak about their concern, the process and any learning the organisation could benefit from. The individual will also be invited to feedback directly to the Board Secretary should they wish. The Board Secretary may speak to the individual to invite them to share their experiences, this is not a requirement if the individual is not comfortable in doing so.

This will include:

- Numbers of cases per year
- A breakdown of the number of cases that relate to bullying and harassment.
- A breakdown of the number of cases that relate to protected Characteristics.
- Summary of key themes, learning and any changes made as a result and where internal analysis of the data has led to recommendations - for example in relation to process improvement,
- Summary numbers of any cases escalated.
- Include other types of raising concern summary such as reset and resolution cases to reflect the breadth of ways of speaking up safely.

8. Reporting arrangements to the Board

The role of Raising Concerns Champions has been extended to cover the full breadth of role outlined within the Speaking up Safely Framework. The Non-Executive Director with an Equality, Diversity and Inclusion portfolio is the Speaking Up Safely and Raising Concerns Champion. This position will be reviewed annually.

The Board will review the progress and effectiveness of the Board Champion roles through the appraisal process and through a Champions Annual Report that will be presented to the Board in May each year.

Stories, learning, themes, and trends from speaking up will be analysed, triangulated with other available data, and used to improve quality, safety, practices, and services.

The number and type of concerns raised will be monitored through a shared log of concerns and at least quarterly review by the Board Secretary.



The specific issues raised will be monitored for any themes, particularly with reference to instances of cases relating to protected characteristics (as per Equality Act, 2010), e.g., where a concern relates to alleged sexual harassment, or disability discrimination.

Welsh Government will also monitor and support the implementation of the framework through regular reporting and feedback mechanisms.

9 Training and Awareness Raising

All colleagues need to be made aware of the existence of this protocol which can be obtained on the Public Health Wales Policies webpage and will be publicised via the staff intranet. People managers should also bring the guidance to the attention of their teams.

Training and / or supervision will be provided on bias and cultural awareness for those who will hear concerns. This protocol will also be supported through the new Leading with Impact workshops for all managers which will include developing core skills to create greater empowerment and Psychological Safety, ensuring that leaders are listening actively and openly to constructive challenge.

Where bespoke advice is required, we encourage colleagues to seek guidance on this procedure from the Board Business Unit or the People and OD team by contacting the People and OD team (through the contact form or via PeopleSupport.PHW@wales.nhs.uk)

This protocol will be implemented in line with a supporting communication and engagement plan, with particular focus on Staff Diversity Networks and minority communities. This work will be promoted through various staff engagement methods such as Staff News; Manager News; Yammer/ Viva Insights; with supporting learning and development activity and promotion of related Skills Boosters.

The protocol will be publicised every 6 months to reinforce the importance of this work and increase awareness amongst colleagues.

10 Stakeholders

Key stakeholders have been identified as follows:

Stakeholder	Communication and engagement strategy
Speaking Up Safely Champions	<ul style="list-style-type: none"> • Direct 1:1 communication for assurance and oversight, decisions, governance



Safeguarding	<ul style="list-style-type: none">• Engage and consult for advice on Protocol etc.
Organisational Leaders	<ul style="list-style-type: none">• Group communications, e.g., BET for assurance and oversight, decisions, governance• Board level development session on How to champion this framework and create the culture we need for Speaking up Safely
People Managers	<ul style="list-style-type: none">• Manager News• Drop-in sessions• Awareness raising of the framework.• How to deal with a concern raised under the framework• My Contribution guidance
Colleagues (all staff)	<ul style="list-style-type: none">• Engage and consult.• News story• Yammer• Drop-in sessions• Awareness raising of the framework.• Info on how to raise a concern – options and policies, sources of support• My Contribution guidance
Trade Unions	<ul style="list-style-type: none">• Engage and consult• Presentations and discussion at Local Partnership Forum (LPF) and Joint Medical and Dental Negotiating Committee Council (JMDNC)• Informal discussion through LNC and informal partnership meetings
Staff Networks	<ul style="list-style-type: none">• Network Chairs group• Specific Network meetings• Consult for advice on Protocol and staff support



Business and Planning Leads	<ul style="list-style-type: none">• Awareness raising/ presentation• Cascade info with Directorate Management Teams, Senior Management Teams
People and OD - Advisory	<ul style="list-style-type: none">• Training session (process and manager support)• Cascade info through manager drop-in sessions
People and OD - Partners	<ul style="list-style-type: none">• Awareness raising/ presentation• General updates• Cascade info through Directorate Management Teams, Senior Management Teams
People and OD - ED&I experts	<ul style="list-style-type: none">• Consult for advice• Help to design materials• Engage with other experts

11. Review of this protocol and feedback

The Board Secretary will review this protocol at least annually to ensure it continues to meet the needs of the organisation.

In addition to improvements that may arise from the stories, learning, themes, and trends identified through Speaking Up, we welcome any feedback about this protocol and are happy to respond to any queries in relation to it. Please email the Board Secretary and Head of Board Business Unit at PHW.Board.business@wales.nhs.uk