

<b>Agenda item:</b>	<b>8</b>
<b>Report title:</b>	<b>Human Resources update</b>
<b>Report by:</b>	<b>Andrew Bratt</b> , Assistant Director – Human Resources <a href="mailto:abratt@gmc-uk.org">abratt@gmc-uk.org</a> , 0161 923 6215
<b>Action:</b>	<b>To consider</b>

## Executive summary

This report provides an update on our Human Resources (HR) and Learning and Development Programme. This includes a progress report on work related to pensions reform, the 2015 triennial valuation and the review of our whistleblowing policy.

At the mid-point of the year this update also provides a summary of our main learning and development activity to date and our priorities for the rest of 2016, with particular reference to our people strategy priorities.

## Recommendations

The Performance and Resources Board is asked to:

- a** Consider the draft updated Whistleblowing policy which, subject to the Board's comments will be reported to Audit and Risk Committee at its meeting on 11 July 2016.
- b** Note the position on the planned reforms to the defined benefit pension scheme.
- c** Note the latest on the triennial valuation process of the defined benefit pension scheme, and the information requirements of Pension Trustees.
- d** Note that the 2016 mid-year HR report will be completed in July and circulated to the Board by email.
- e** Note the update on the 2016 learning and development programme and plans for the rest of 2016.

## Whistleblowing Policy

- 1 As part of our response to the independent review on whistleblowing by Sir Anthony Hooper, we are developing training support for staff on dealing with whistleblowing issues as part of our regulatory work. Alongside this we have also undertaken a review of our own whistleblowing policy and commissioned Public Concern at Work to review this. An updated policy including all of their feedback and advice is at Annex A.

## Pensions reform

- 2 In relation to the defined benefit pension scheme, Council agreed the implementation of reform proposals subject to adjustments that facilitate enhancement for ill-health and death in service based on the current rules and introducing flexibility on taking benefits for scheme members. Pension Trustees have not indicated that they have any concerns that would prevent them agreeing to the relevant rule and deed changes. We expect to finalise these by September 2016. At this point notice will be served on existing contracts with new contractual terms applying from 1 January 2016.

## Triennial Valuation

- 3 The triennial valuation process of the defined benefit pension scheme is now underway. Initial indications are that the scheme will be close to being fully funded. Council will be asked to agree the assumptions being used and ahead of this, the Director of Resources and Quality Assurance will provide the employer input.

## Mid-Year Human Resources report

- 4 We provide a mid-year report to the Board on our main HR monitoring data and will complete this after 30 June 2016. We will circulate this to the Board for consideration by email and should any issues require further review or analysis will report to the Board at its meeting on 27 September 2016

## Learning and Development

- 5 During 2016 we have delivered and planned a significant level of learning and organisational development support to our managers, leaders and staff through our existing development programmes (at Annex B).
- 6 Our 2016 programmes has focused on the following priorities:
  - a **Change programme support** Continue to deliver online curriculum for my corporate induction, 1-1 coaching, CV workshops, outplacement support and

consultancy support and advice for those teams in transition and continued development of a new 'Managers Induction' Programme

- b Management Development and Leadership** Continue to deliver support through Access to Training; Continue to deliver and develop in-house and external skills based workshops and online resources for Line Managers and review our options for our next round of leadership training in Q4 this year.
  - c 360 feedback and coaching support** Continue roll-out of 360 interim year plan including accredited in-house coaches. We are also planning the 2017 roll-out being implemented in Q3 also.
  - d Well-being and emotional resilience training programme**  
Continued delivery phase 2 of the Emotional Resilience training programme covering the following areas:
  - e Hooper Whistleblowing awareness training** Design, develop and deliver whistleblowing awareness training for key staff in FTP.
  - f Mandatory training/statutory CPD** Mandatory training workshops for E&D, Health & Safety, First Aid, and Legal CPD will continue to be delivered and managed through the Access to training policy
  - g Digital learning content development** Developing content for online learning for soft skills and non-systems development using the L&D portal curriculum functionality.
- 7** Our close alignment with Directorate needs and our operational and strategic plans has seen us move towards a closer integration of our organisational development work and our learning capacity. We expect this to continue in 2017.

## 8 – Human Resources update

## 8 – Annex A

### Whistleblowing Policy

All of us at one time or another have a concern about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it is about a possible fraud, danger or malpractice that might affect others or the General Medical Council itself, it can be difficult to know what to do. You may be worried about raising a concern and may think it best to keep it to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

The Board and Chief Executive of the General Medical Council are committed to tackling all forms of serious wrongdoing and running the organisation in the best way possible and to do so we need your help. All staff members have a responsibility to support good governance and to promote and ensure good practice within the organisation. We have introduced this policy to reassure you that it is safe and acceptable to speak up and to enable you to raise any concern you may have about malpractice at an early stage and in the right way. Rather than wait for proof, we would prefer you to raise the matter when it is still a concern.

This policy applies to anyone directly employed by the GMC, members, contractors, associates, temporary workers, and anyone indirectly employed through third parties or agencies. If you have a whistleblowing concern, please let us know.

If in doubt - raise it!

### The purpose of our whistleblowing policy

- 1 The aim of this policy is to reassure you that whistleblowing is safe and welcomed in the GMC and tell you where you can go to raise a concern or seek advice about the whistleblowing process. In general whistleblowing is raising a concern about risk, wrong doing, or malpractice which affects other staff, the wider public or the GMC

itself. Some examples of the types of concern that staff might come across in their work with the GMC are given below, please note this is not an exhaustive list.

- Unsafe working conditions
- Lack of, or poor response to a patient safety issue
- Suspicions of fraud
- Failure to comply with a legal obligation
- You suspect that expenses are being falsified
- You suspect that evidence in an investigation into fitness to practice of a GMC registrant has been tampered with
- You become aware that there is systemic failure to comply with an internal GMC policy which may cause harm to others

If you have a concern, like any of the above, which is troubling you and which you think we should know about or look into please use this policy. However, this policy does not apply to personal grievances concerning an individual's terms and conditions of employment or other aspects of the working relationship, complaints of bullying or harassment, or disciplinary matters which are all covered by separate policies. If at any stage we believe that the matter you have raised under this policy is more appropriately dealt with using a different process we will explain this to you.

If you are unsure whether or not your concern is appropriately dealt with under this policy you can seek independent advice (see paragraph 11) at any stage.

- 2 Provided you are raising a genuine concern, it does not matter if you are mistaken. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.
- 3 With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone confidentially first i.e. where the person to whom you report will not share identifying details. If this is the case, please say so at the outset. If you ask us not to disclose your identity we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

- 4 Please remember that if you do not tell anyone who you are, i.e. you raise a concern anonymously, it will be much more difficult for us to look into the matter. We will not be able to protect your position or give you feedback. Accordingly, you should not assume we can provide the assurances we offer in the same way if you report a concern anonymously.
- 5 If you are unsure about raising a concern you can get independent advice from Public Concern at Work at any stage (see contact details under Independent Advice in paragraph 11).
- 6 Deterring anyone from raising concerns or victimising them for doing so could amount to serious misconduct and may lead to disciplinary proceedings.

## How do I raise a concern?

- 7 Please remember that you do not need to have firm evidence of malpractice before raising a concern. However we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

Step One:

- 8 In the first instance, you should normally raise the concern with your manager or Head of Section. This may be done verbally or in writing.

Step Two:

- 9 If you feel unable to raise a matter in line with step one above for whatever reason please raise the matter with someone listed below. These people have been given special responsibility and training in dealing with whistleblowing concerns.

Title and Name	Email address	Phone
Director Fitness to Practise Anthony Omo	aomo@gmc-uk.org	020 7189 5117
Director Registration and Revalidation Una Lane	ulane@gmc-uk.org	020 7189 5164
Director Resources and Quality Assurance Neil Roberts	nroberts@gmc-uk.org	0161 923 6230
Director Strategy and Communication Paul Buckley	pbuckley@gmc-uk.org	020 7189 5022

Senior Medical Advisor and Responsible Officer and interim Director of Education and Standards Dr Judith Hulf	jhulf@gmc-uk.org	020 7189 5282
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Step Three:

- 10** If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact:

Title and Name	Email Address	Phone
Chair of Council, Professor Terence Stephenson	tstephenson@gmc-uk.org	020 7189 5013
Chief Executive, Niall Dickson	ndickson@gmc-uk.org	020 7189 5291
Chair, Audit and Risk Committee, Professor Jim McKillop	Jim.McKillop@glasgow.ac.uk	07714 212443
Chair, Remuneration Committee Dame Denise Platt	damedenise@btinternet.com	07867 537780
Chief Operating Officer Susan Goldsmith	sgoldsmith@gmc-uk.org	7189 5124

- 11** The person you make the disclosure to will check that you have a copy of this policy and advise you about the role of Public Concern at Work (PCaW), an independent charity which offers support and advice to whistle-blowers. PCaW's whistleblowing advice line number is 020 7404 6609. They can also be contacted at [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk). Advice may be available from your professional body or a union if relevant.
- 12** If we decide there are insufficient grounds to warrant an investigation this decision will be explained to you. If you still have concerns please seek advice on what further steps may be available to you.

## External options

**13** In the majority of cases, issues and concerns are likely to be most effectively addressed within the GMC's own procedures. However, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, we would rather you raised a matter with the appropriate regulator – than not at all. Public Concern at Work or, if applicable, your union will be able to advise you on such an option if you wish. Some relevant external options to the GMC may be the following:

- Charity Commission for England and Wales
- Office of the Scottish Charity Regulator
- Information Commissioner
- Scottish Information Commissioner
- Environment Agency
- Health and Safety Executive
- National Crime Agency
- Pensions regulator
- Commissioners for Her Majesty's Revenue and Customs
- Care Quality Commission
- Health Improvement Scotland
- Scottish Environment Protection Agency
- Welsh ministers

**1** A full list of prescribed persons can be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf).

## How the GMC will handle your concern

- 14** We will acknowledge receipt of your concern within two working days. We will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you. If you ask, we will write to you summarising your concern and setting out how we propose to handle it and provide a timetable for feedback. If we have misunderstood the concern or there is any information missing please let us know. When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset.
- 15** Any investigation will be handled as sensitively and speedily as possible.
- 16** You will be notified of the timetable for the investigation. This will depend on the nature of the concern.
- 17** You will be kept informed of the progress of the investigation and notified if there are delays with an outline of the reason for the delay. At the end of the investigation you will be advised of the outcome. If you ask, this will be followed up with a written summary, however, we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.
- 18** The outcomes of an investigation may include taking steps with a competent authority to set up a special internal independent investigation, or the decision may be that the matter would be more appropriately handled under existing procedures for grievance or discipline.
- 19** At any stage of our internal investigation some matters may need to be referred to an external body. If so, we will discuss with you how the matter can best proceed.
- 20** If you raise a concern externally you will be protected from victimisation or other adverse treatment.
- 21** If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern please contact HR or a manager with a designated role under the policy.

## Records

- 22** Records will be held by the Assistant Director Audit and Risk Assurance for five years. A report of the outcome will be referred to the Chief Operating Officer, who will refer the report on if necessary, unless the matter has concerned:

- a** The Chief Operating Officer, in which case the report will be referred to the Chief Executive.
- b** The Chief Executive, in which case the report will be referred to the Chair of the Audit and Risk Committee and the Chair of the Remuneration Committee, and the Chair of Council.
- c** The Chair of the Medical Practitioners Tribunal Service, in which case the report will be referred to the Chair of Council.
- d** The Chair of Council, in which case the report will be referred to the Chair of the Audit and Risk Committee and the Chair of the Remuneration Committee.

## Equality

**23** This policy has been equality proofed and results in no detriment to any group.

## Amendments

**24** The GMC reserves the right to update or amend this policy at any time.

*Last updated on 13 June 2016*

## Whistleblowing Policy review

Public Concern at Work (PCaW) have undertaken a review of our Whistleblowing Policy and supporting guidance. PCaW are an independent whistleblowing charity which offers support and advice to whistle-blowers.

### Whistleblowing policy

Suggestions have been made on both the content and structure of the policy in order that it meets best practice and many of the amends are drawn from the PCaW model whistleblowing policy, the recommendations of the Whistleblowing Commission's code of Practice ("CoP") and the new NHS Improvement model policy.

A summary of the main amends are:

- The structure has been amended to include an introduction with a clear commitment at the beginning that the GMC is committed to tackling all forms of wrongdoing, and maintaining good governance.
- A mixture of wording from the GMC's policy and the PCaW's model policy has been used.
- Removal of wording that is too prescriptive in line with best practice on the model whistleblowing policy.
- Examples of the types of issues covered have been amended but are still not an exhaustive list. The CoP recommends that employers include specific examples to help to illustrate the types of concerns we might expect to address under the policy and not reproduce the list of the types of malpractice covered by the whistleblowing legislation has been removed
- References removed to the Public Interest Disclosure Act (PIDA) throughout the policy. This does not provide a model for either raising concerns or investigating them and can encourage managers and whistle-blowers to see the process through a legalistic and adversarial framework. The PIDA can be explained in manager guidance.
- Assurances; clear language has been added to explain the assurances provided by the GMC for anyone using the policy. Experience shows that any whistleblowing policy needs to be clear around the assurances about the individual's position at the beginning of the process – this includes a commitment around the protection of identity as well as assurance that raising a whistleblowing concern will not result in any adverse treatment for the person raising the concern.

- Stepped process; we should include the names and contact details of managers named in the policy document itself, not as an annex. This makes it clear and easy to understand. The remit of the section of the contact details at step three has also been removed as the aim of the policy is to encourage staff to come forward, rather than being prescription. Once the information is available then a triage process can take place to refer the issue to the best person placed to deal with the concern
- A specific section on external options (such as the Charity Commission) has been added.
- The specific details on handling and investigation a whistleblowing concern have been removed and can be covered in a separate document. This is because a concern raised under the policy could address a wide range of types of wrongdoing and differing levels of seriousness, and it is therefore preferable that the GMC is able to have the ability to respond flexibly as appropriate.

## Annex A and B

These have been removed as the content is incorporated in the main policy, guidance for named role holders and manager guidance.

A link to prescribed persons is recommended rather than providing a list directly as it is updated periodically and if included directly the list provided may be out of date.

## Guidance for named role holders

A summary of the main amends are:

- Removal of reference to the PIDA as the legislation does not set out guidance for how named role holders should handle a whistleblowing concern. But information on the PIDA added so that named role holders are made aware of how it might work.
- Confidentiality; guidance added to explain the difference between an anonymous or confidential report and how the GMC expects a named role holder to deal with each.
- Types of wrong doing; reference removed to 'serious wrongdoing'. Examples here should be relevant to the GMC's work rather than using categories in the PIDA or attempting to define what is 'serious' at the stage a concern is raised.
- Steps; a few minor amends to the content of the steps outlined in the guidance e.g. instruction to keep the matter confidential removed as it may give the mistaken impression that we are attempting to silence a whistle-blower's concerns and removal of a prescriptive period of length of an investigation.

## **Guidance for line managers**

We do not have any guidance for line manager and the PCaW suggest we should provide managers with some FAQs.

# Whistleblowing Policy – guidance for named role holders

## Why are you receiving this guidance?

- e Under the GMC's [whistleblowing policy](#) you are a named role holder with specific responsibilities to fulfil if you are contacted by anyone wishing to raise a concern. This guidance outlines what you should do if approached and where you can find further support.

## What is the policy?

- f The whistleblowing policy outlines the GMC's procedure for internal whistleblowing. The policy makes clear that we are committed to tackling all forms of serious wrongdoing and will protect those who raise genuine concerns from any adverse treatment.

## What is the Public Interest Disclosure Act 1998 (PIDA)?

- g The [Public Interest Disclosure Act 1998](#) (PIDA) is a piece of employment legislation that enables a worker to take a claim to an Employment tribunal if they suffer detriments from co-workers or their employer, or are dismissed for having raised a concern about wrongdoing. PIDA has a broad definition of wrongdoing including: a breach of a legal obligation, miscarriage of justice, danger to health and safety, damage to the environment, criminal acts or an attempt to conceal any of the above. PIDA protection applies when a concern is raised to the employer. At this stage the law states that the whistle-blower need only have a reasonable suspicion of the wrongdoing and believe the information is in the public interest. PIDA protection also applies if a concern is raised with a person prescribed under PIDA – these are mainly regulators such as the Care Quality Commission, the Health and Safety Executive, or the various medical professional bodies. It also includes Members of Parliament.
- h For a full list of prescribed persons can be found at:
  - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf).
  - The law also protects whistle-blowers who raise a concern with other external bodies including NGOs, the police or the media. For more information about PIDA you can speak to Public Concern at Work or visit: <http://www.pcaw.org.uk/guide-to-pida>

## Who is the policy for?

- i The policy is for anyone directly employed by the GMC, members, contractors, associates, temporary workers and other indirectly employed workers through third parties or agencies. We have separate guidance for doctors to raise concerns with us about serious wrongdoing in their own organisations. This is called 'Raising concerns' and can be found at:
  - [http://www.gmc-uk.org/guidance/ethical\\_guidance/11860.asp](http://www.gmc-uk.org/guidance/ethical_guidance/11860.asp)

## What is 'wrongdoing' in this context?

- j In general whistleblowing is raising a concern about risk, wrong doing, or malpractice which affects other staff, the wider public, or the GMC itself. This covers a range of specific issues such as unsafe working conditions, lack of or poor response to a patient safety issue, suspicions of fraud or failure to comply with a legal obligation. These are outlined further in the [policy](#) which can be found on *Inside Info*.
- k Issues relating to personal grievances, bullying or harassment, or disciplinary matters are not covered by the policy but are covered by other internal policies and procedures.

## What is the difference between confidential and anonymous reporting?

- l Our Policy encourages staff to raise any concern they have **openly** i.e. with their manager or a senior designated contact, clearly knowing who had raised the concern. We believe this is by far the most sensible way for matters to be raised and addressed and you should handle such a concern sensitively and appropriately. If staff members ask for their identity to remain **confidential**, explain you will not do so without their consent unless required to do so by law. If the matter is referred to you from a manager or HR then you will be informed if you need to keep the staff member's identity confidential.
- m A concern raised **anonymously** means that no one knows the identity of the person who raised it. This means that you will not be able to seek further information (which may affect the ability to properly investigate the concern) or provide feedback as to how the concern has been addressed. This also means that the assurances we offer staff under the Whistleblowing Policy cannot be extended to someone whose identity is unknown. If you do receive an anonymous report, please inform HR who will guide you on whether or how to proceed.

## What do I do if I am approached?

Step	Action	Helpful tips
Step 1	Listen to the concern being raised and make a note of salient information	<p>If the concern clearly relates to a personal grievance, bullying or harassment or disciplinary matter, refer the individual to the appropriate policy. These can be found on <i>Inside Info</i> under <a href="#">employment policies</a>.</p> <p>If you are unsure, seek advice from the Assistant Director Human Resources (ext. 6215), Assistant Director Audit and Risk Assurance (ext. 5188) or Head of Governance (ext. 5244).</p>
Step 2	Check the individual has a copy of the <a href="#">whistleblowing policy</a>	This is on available on <i>Inside Info</i> under HR policies or available from any of the contacts above.
Step 3	Check that the individual is aware of the charity Public Concern at Work (PCaW)	<p>PCaW provides an independent source of advice and support. The web address is <a href="mailto:whistle@pcaw.org.uk">whistle@pcaw.org.uk</a></p> <p>Staff can also seek advice and support by contacting the GMC's <a href="#">Employee Assistance Programme</a>; this is a confidential counselling, information and support advice line. Further information is on <i>Inside Info</i> and the Freephone telephone number is: 0800 072 7 072.</p>
Step 4	Thank the individual for raising their issue and let them know the timeframe you will come back to them with next steps	<p>Aim to go back to the individual within a week to explain what you have done and any next steps. If it is not possible to do this, explain why and when you will get in touch with them again.</p> <p>Keep a note of the conversation with the individual raising the concern and the information you have shared with them so you have a record to refer back to if needed.</p>

Step 5	Consult with the Assistant Director Audit and Risk Assurance	<p>Check with the Assistant Director Audit and Risk Assurance if there have been previous cases related to the issues raised or if you need advice on initial handling of the process.</p> <p>The Assistant Director Audit and Risk will determine if there a case to answer and if so, instigate an investigation by an appropriate person. They should be independent of the area relating to the concern and have sufficient knowledge and credibility for the individual who raised the concern to have confidence in them. The person carrying out the investigation will need to keep a written record of their investigation and findings.</p> <p>A lead director should also be appointed to oversee the investigation and look at the findings to determine appropriate next steps.</p>
Step 6	Outline next steps and timeframes to the individual	<p>The key thing is to agree with the individual how they will be kept up to date with progress as the investigation is carried out and how you will communicate the findings.</p> <p>Keep a record of all your contact with the individual.</p>
Step 7	Report findings to individual and outline any next steps	<p>At the end of the investigation advise the individual of the outcome. If the individual is dissatisfied with the findings, refer them to the escalation route in the policy.</p> <p>Consider whether the findings indicate matters which need to be referred to an external body, such as the police or Financial Conduct Authority.</p>
Step 8	Forward written records of the procedure and the final report to the Assistant Director Audit and Risk Assurance	Written records are held by the GMC for five years.

## Further support

- n If you have any queries or require advice and support, please contact the Assistant Director Audit and Risk Assurance, Lindsey Mallors, 020 7189 5188, [lmallors@gmc-uk.org](mailto:lmallors@gmc-uk.org).

*Last updated on 13 June 2016*

## Whistleblowing Policy – Manager’s FAQs

We recognise that the success of our organisation and our reputation depends on our staff and managers doing the right thing. We want to encourage staff to speak up if they have any concern about a risk to our customers, colleagues, or the company itself and we want them to be able to tell you, their manager.

You play a key role in setting the tone for those who work with you. By dealing with a concern sensibly, effectively and swiftly, you will send a clear signal to the staff you manage that it is safe and acceptable to speak up. Understood and promoted properly, whistleblowing can help you do your job better. If your staff identify a problem and tell you about it early enough, you can address it before any real damage is done. If, for some reason, a member of your staff feels unable to tell you about it, we want you to explain that they can raise a concern to any one of the individuals who have been identified in the Whistleblowing Policy. This may feel difficult to do at first but ultimately it can mean the difference between staff speaking up and saying nothing at all. It is what good management is all about.

These FAQs are designed to provide you with practical information about how the Whistleblowing Policy applies to your work. We hope you find this useful but should you have any further questions, please contact your senior manager or HR. If in doubt, speak up!

### Why me?

You have a crucial role in promoting the principles of our Whistleblowing Policy by encouraging your staff to speak up in the normal way if they have any concern about malpractice. Reassuring your staff that they will not be adversely treated by you or colleagues, even if they are mistaken in their concern, will help ensure you are told about a risk before it becomes a real problem. We expect you to read the Whistleblowing Policy and to understand it. It is important that you tell your staff that though you hope they will come to you first, you will support their decision if they decide to raise it with one of the senior designated contacts listed in the Policy.

Remember that anyone working for the GMC – temporary, contracting or permanent staff - may raise a concern under the Policy.

### How will I know it is a whistleblowing concern?

Generally speaking, a whistleblowing concern will involve some form of malpractice or wrongdoing, actual or perceived, where there is a risk to others, e.g. GMC as a company, customers, members of staff, or the public. The person raising the concern is a witness telling you what they know so that you, their manager, can address it. Remember there is a difference between this and a grievance, where the member of staff complains about

their own employment situation and seeks a personal resolution. If a member of staff has a grievance, you should direct them to the [grievance procedure](#).

## What do I do when a staff member raises a concern with me?

Be prepared for staff to approach you directly with a concern; whether it comes up during a meeting, telephone call or discussion, or is put in writing.

We expect you to **listen** and to **take the concern seriously**. If the member of staff is worried that colleagues will react negatively towards them for telling you, reassure them that you will handle the issue as sensitively as you can and importantly, that you will not tolerate reprisal against anyone raising a genuine concern. Remember, our Whistleblowing Policy assures staff of this and any victimisation or unfair treatment of anyone who raises a genuine concern will be treated seriously and may be a disciplinary matter.

This assurance is extended even if the concern is mistaken. However, it is not acceptable for staff to use the Policy to maliciously raise a matter they know is untrue and if this occurs, it will also be treated seriously. If you believe this to be the case or you have any doubts about how to handle a concern raised with you, please seek advice from HR on how to proceed.

If the individual is aggrieved about their own personal position, let them know about the [grievance procedure](#).

## How should I address the concern?

Most concerns will be dealt with and resolved through normal dialogue between you and the staff member raising it. To fully assess the nature of the risk or wrongdoing, try to find out as much about it as you can. Some questions might be:

- How do they know about it?
- What prompted them to tell you now?
- How serious is it?
- Has it already happened, is it happening now, or is it about to happen?

Remember, we don't expect a concerned member of staff to prove anything is wrong but rather we want them to let us know so that we can look into it. The more information we have the easier that will be. You can also ask the staff member how they think the matter might best be resolved.

Ask the staff member if they have any worries about their name being associated with having raised the matter. Some matters can be quite properly investigated without any further involvement of the person who raised it. If this is not the case and you need their help – e.g. where they are the only witness – you should explain this clearly before you proceed. If they ask you not to reveal their identity, explain you will not do so without their consent unless required to do so by law but that colleagues may guess who raised the concern.

If you need to refer the matter to a higher level, say so. If the staff member is concerned about their own position, explain that you will ask that confidentiality is maintained by the person to whom it is referred. They will let the staff member know if their further involvement will be required.

If you are at all unsure at this, or any other stage, please seek advice from your senior manager or HR. We would rather you ask than wait until it is a problem for you.

## **Do I keep them informed once they have told me the concern?**

Most people just want to know that their concern is being taken seriously and that someone is looking into it. Once you have assessed the matter, you should offer to tell them what you propose to do, or have done, to address it.

If the matter has been referred to a higher level, then it may be someone else who feeds back to the concerned member of staff. If you are not sure about this, please ask.

Where the person who raised it wants to know the outcome we will endeavour to tell them as much as we can. There can be limits - for example, where it might compromise an investigation or breach a duty of confidence the company owes a third party.

## **What if ...? Potentially difficult issues**

What if....

- the concern is about a senior manager?
- the staff member who raised the concern is involved or implicated in the wrongdoing?
- the staff member is not happy with how you addressed the concern or thinks there is an ongoing risk?

Please raise it with one of senior designated officers whose contact details are included in the Policy.

## What happens when the concern is raised with a senior designated contact first and not with me?

Although staff are encouraged to raise a concern about wrongdoing with their immediate manager, we recognise that this may not always be possible or appropriate. For this reason, staff can raise a concern directly with one of the senior managers named in the Policy (these are referred to as “senior designated contacts”). Should this happen we understand that some of you may feel slightly put out. If so, we expect you to put any personal feelings to one side and recognise that the staff member is doing the right thing. Provided you have not discouraged anyone from raising a concern, it will not reflect badly on you.

When a concern is raised with a senior designated contact – either as a referral from you or directly by a staff member - they will handle it or refer it to someone who can. They will ensure that the staff member knows how to contact them and whether their further assistance will be required. If the concerned staff member requests confidentiality, they will be assured that their identity will not be revealed without their consent.

## What is the difference between confidential and anonymous reporting?

Our Policy encourages staff to raise any concern they have **openly** i.e. with their manager clearly knowing who had raised the concern. We believe this is by far the most sensible way for matters to be raised and addressed and we expect you to handle such a concern sensitively and appropriately. Occasionally you may be asked by a staff member to keep their identity **confidential** and you should do so unless required to do so by law. Where you need to refer the matter to a senior designated contact, explain that confidentiality will be maintained by you and that person.

A concern raised **anonymously** means that no one, including you, knows the identity of the person who raised it. This means that you will not be able to seek further information (which may affect the ability to properly investigate the concern) or provide feedback as to how the concern has been addressed. This also means that the assurances we offer staff under the Whistleblowing Policy cannot be extended to someone whose identity is unknown. If you do receive an anonymous report, please inform HR who will guide you on whether or how to proceed.

## Why do we tell staff they can contact Public Concern at Work?

No matter how accessible you are to your staff or how well our Whistleblowing Policy is promoted, we recognise that staff may still feel unsure about how or whether to raise a concern. This uncertainty may result in them remaining silent longer or the concern not being raised at all. To reassure staff that we want them to raise genuine concerns about

wrongdoing, and that we are committed to handling concerns properly and effectively, we want them to be aware of the charity Public Concern at Work (PCaW) who provide confidential advice.

PCaW advisers provide confidential advice to those concerned about wrongdoing or malpractice at work who are unsure whether or how to raise it. Staff may contact PCaW by telephone (020 7404 6609) or by e-mail ([whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)) and they can also ask PCaW to forward a concern directly to one of the senior designated contacts named in the Policy.

## **What is the role of outside bodies, such as a regulator?**

Regulating bodies, such as the Charity Commission or the Health and Safety Executive, work to ensure that standards are maintained and to minimise risk to consumers, employees, the public, or the environment. Whilst our Policy encourages staff to raise a concern internally - with you, their line manager, or with a senior designated contact - they can raise their concern directly with a regulating body. This is only likely to happen where the concern is about something very serious or where the staff member believes that we have failed to address it properly and the risk is ongoing. If this should happen we will cooperate with the regulator and any investigation they might wish to make. It is important that no member of staff is treated adversely for having raised a genuine concern or cooperating with any investigation.

## **Should I keep any records?**

It is good practice and good management to make a note of the concern and how you dealt with it, taking into account any request for confidentiality and general data protection principles. This will ensure that you have an accurate record should the matter arise again or come up in a different context.

## **What if I still have questions about the Policy?**

Please do not hesitate to ask HR or one of the senior designated contacts in the Whistleblowing Policy if you are unsure about its scope or application, or how to promote it effectively to your staff. You can also contact them if you have been approached and/or do not know how to handle a matter which has come to your attention. If you would like to know more about whistleblowing generally you can also contact Public Concern at Work.

*Last updated as of 13 June 2016*

# Whistleblowing Policy –FAQs

## What is whistleblowing?

Someone 'blows the whistle' when they tell their employer, a regulator, customers, the police or the media about wrongdoing, risk or malpractice that they are aware of through.

## Who does the whistleblowing policy apply to?

This policy applies to anyone directly employed by the GMC, members, contractors, associates, temporary workers, and anyone indirectly employed through third parties or agencies.

## What is the difference between making a complaint and blowing the whistle?

Someone **blows the whistle** as they are raising a concern about danger or illegality that affects others (e.g. customers, members of the public, or their employer). The person blowing the whistle is usually not directly, personally affected by the danger or illegality.

When someone makes a **complaint** they are saying that they have personally been treated badly. This poor treatment could be a breach of their individual employment rights or bullying. The GMC has a grievance procedure which is more appropriate for making a complaint.

## What are some examples of whistleblowing concerns?

In general whistleblowing is raising a concern about risk, wrong doing, or malpractice which affects other staff, the wider public or the GMC itself. Some examples of the types of concern that staff might come across in their work with the GMC are given below, please note this is not an exhaustive list.

- Unsafe working conditions
- Lack of, or poor response to a patient safety issue
- Suspicions of fraud
- Failure to comply with a legal obligation
- You suspect that expenses are being falsified
- You suspect that evidence in an investigation into fitness to practice of a GMC registrant has been tampered with

- You become aware that there is systemic failure to comply with an internal GMC policy which may cause harm to others

## How do I raise a concern?

- Step one: In the first instance, you should normally raise the concern with your manager or Head of Section. This may be done verbally or in writing.
- Step Two: If you feel unable to raise a matter in line with step one above for whatever reason please raise the matter someone who has been given special responsibility and training in dealing with whistleblowing concerns. A list is provided in the policy.
- Step Three: If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please refer to a further list of contacts provided in the policy.

## How will the GMC handle my concern?

We will acknowledge receipt of your concern within two working days. We will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you. If you ask, we will write to you summarising your concern and setting out how we propose to handle it and provide a timetable for feedback. If we have misunderstood the concern or there is any information missing please let us know. When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset.

You will be kept informed of the progress of the investigation and notified if there are delays with an outline of the reason for the delay. At the end of the investigation you will be advised of the outcome. If you ask, this will be followed up with a written summary, however, we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.

## What is the difference between anonymity and confidentiality?

If you raise a concern confidentially you are giving your name only on condition that it is not revealed without your consent. If you raise a concern anonymously you do not give your name. Usually, the best way to raise a concern is to do so openly.

## Can I blow the whistle anonymously?

Yes but there are additional risks if you raise your concerns anonymously. These are:

- being anonymous does not stop others from successfully guessing who raised the concern;
- it is harder to investigate the concern if people cannot ask follow-up questions;
- it is easier to get protection under the [UK Public Interest Disclosure Act](#) if the concerns are raised openly; and
- it can lead people to focus on the whistleblower, maybe suspecting that he or she is raising the concern maliciously.

## Can I raise a whistleblowing concern confidentially?

There may be circumstances when you would prefer to speak to someone confidentially first i.e. where the person to whom you report will not share identifying details. If this is the case, please say so at the outset. If you ask us not to disclose your identity we will not do so without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential. In such cases, we will discuss with you whether and how the matter can best proceed.

## Do I have any external options?

In the majority of cases, issues and concerns are likely to be most effectively addressed within the GMC's own procedures. However, we recognise that there may be circumstances where you can properly report a concern to an outside body. In fact, we would rather you raised a matter with the appropriate regulator – than not at all. Public Concern at Work or, if applicable, your union will be able to advise you on such an option if you wish.

## Can I get independent advice?

Public Concern at Work (PCaW) provide confidential advice to those concerned about wrongdoing or malpractice at work who are unsure whether or how to raise it. Staff may contact PCaW by telephone (020 7404 6609) or by e-mail ([whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)) and they can also ask PCaW to forward a concern directly to one of the senior designated contacts named in the Policy.

## Do I have legal protection if I raise a whistleblowing concern?

Almost all workers (save the armed forces, intelligence officers, volunteers and the self-employed) in the United Kingdom are protected by the [Public Interest Disclosure Act 1998](#) (PIDA). The PIDA protects you if you raise a concern about wrongdoing internally and if you make wider disclosures where there is a valid reason to go wider, and the particular disclosure is reasonable.

Provided you are raising a genuine concern, it does not matter if you are mistaken. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern. Of course we do not extend this assurance to someone who maliciously raises a matter they know is untrue.

*Last updated as of 13 June 2016*

## 8 – Human Resources update

## 8 – Annex B

### Learning and Organisational Development Mid-Year Update

- 1 Our strategic and operational focus over the first half of the year and ongoing work programmes for Quarter 2 are outlined below.

#### Strategic Programmes

##### Change programme support

- 2 Meetings have been held with all transition leads. They have been advised on the support and resources available to support on-boarding new starters, consultancy support and development options available from the L&D team (For example team building days, coaching and procuring role specific external training where appropriate).

##### Corporate and local Induction

- 3 Developed and launched an online Corporate Induction on the L&D portal which is a 'one stop shop' for staff induction needs. This includes the following:
  - Online Corporate Induction programme to be completed by all staff over a 30/60/90 period.
  - Local induction guidance and resources to support teams in developing role specific training plans.
  - Manager and buddie guidance to manage an effective induction programme for a new starter to perform effectively and quickly into their new role.

##### Emotional Resilience and Well-being programme

- 4 Rolled out training to approximately 276 staff across the GMC on one or more of the following topics; building resilience, customer service at the GMC, mental health awareness, interacting with challenging contacts, supporting staff mental health.

- 5 Developed Well-being health & resilience pages with online resources to support our well-being strategy as follows:
  - **Toolkits and guidance**; building resilience, what is stress, effective resilience management, health & resilience toolkit for line managers, holding challenging conversations, five steps to mental wellbeing, seasonal affective disorder, pressure and stress, techniques to manage mental well-being, mental health awareness-symptoms
  - **Videos**; well-being, mental health, mindfulness - coping with stress, mindfulness- a beginner's guide, managing work-life balance, dealing with conflict, dealing with tension, keeping a positive attitude, recognise and deal with stress
  - **Links to external organisations** for additional support and guidance; GMC EAP programme, Samaritans, Mind infoline, Rethink mental illness advice line, Saneline, Mental health foundation, Carers UK
- 6 Wellbeing champion role communicated and well-being sessions delivered.

#### Hooper – Whistleblowing awareness training for FTP GMC staff

- 7 Tender advertised for a supplier in May to design and deliver whistleblowing awareness training for FTP staff in response to the recommendations set out in the Hooper Action plan.
- 8 Planned delivery of workshops to team in FTP in August – October 2016.

#### Apprenticeship programme

- 9 An initial review has been completed to understand potential implications of the Apprenticeship levy for GMC development programmes.

#### Cornerstone system enhancements

- 10 We are investigating online resources for managers and staff on a range of soft skills which could be published on the L&D portal (including learning guides, videos, e-books, self-directed learning activities) to replace our CLC curriculum and create 'agile' learning.

#### Operational work programmes

##### Performance review process

- 11 Mid-year review guidance updated and task will go live mid-June.

##### Equality & Diversity training for GMC staff

- 12 Tender advertised for a supplier in May to design and deliver mandatory Equality and Diversity training for all GMC staff to include e-learning and workshops.

## Corporate training programme

**13** We have designed and delivered the training outlined below in Q1 & Q2;

Learning & Development plan of activities 2016			
Quarter 1 (January – March)	Quarter 2 (April - June)	Quarter 3 (July – September)	Quarter 4 (October – December)
<b>Training &amp; workshops:</b> <ul style="list-style-type: none"> <li>Mandatory Training and Induction</li> <li>Building Resilience</li> <li>Continuous improvement</li> <li>Proofreading</li> <li>L&amp;D Surgery</li> <li>Customer Service for FTP</li> <li>Recruitment as an applicant</li> <li>Web author training</li> <li>Influencing &amp; stakeholder engagement</li> <li>Step into Management (2015 Cohort)</li> <li>Step into Leadership (2015 Cohort)</li> <li>Customer Service</li> <li>Presentation skills</li> <li>Supporting Staff Mental Health (For Managers)</li> <li>Risk Management</li> <li>Facilitation skills</li> <li>Writing with Impact</li> <li>Mental Health Awareness</li> <li>Absence Management Training</li> <li>First Aid and Defibrillation (via facilities)</li> </ul>	<b>Training &amp; workshops:</b> <ul style="list-style-type: none"> <li>Mandatory Training and Induction</li> <li>Building Resilience</li> <li>Continuous improvement</li> <li>Proofreading</li> <li>L&amp;D Surgery</li> <li>Recruitment as an applicant</li> <li>Web author training</li> <li>Influencing &amp; stakeholder engagement (Advanced Session)</li> <li>Step into Management (2015 Cohort)</li> <li>Customer Service</li> <li>Writing with Impact</li> <li>Train the Trainer</li> <li>Mental Health Awareness</li> <li>Absence Management Training</li> <li>First Aid and Defibrillation Handling Challenging Interactions</li> <li>Developing Effective Inductions</li> <li>CV Writing Workshop</li> <li>Continuous Improvement</li> <li>Masterclass: Benefits Realisation</li> <li>Contract Management Training</li> <li>Wellbeing Champion Session</li> <li>Facilitation skills</li> </ul>	<b>Training &amp; workshops:</b> <ul style="list-style-type: none"> <li>Mandatory Training and Induction</li> <li>Building Resilience</li> <li>Continuous improvement</li> <li>Proofreading</li> <li>L&amp;D Surgery</li> <li>Customer Service for FTP</li> <li>Recruitment as an applicant</li> <li>Web author training</li> <li>Influencing &amp; stakeholder engagement</li> <li>Customer Service</li> <li>Writing with Impact</li> <li>Train the Trainer</li> <li>First Aid and Defibrillation</li> <li>Wellbeing Champion Networking Session</li> <li>Supporting Staff with Challenging Interactions (for Managers)</li> <li>Recruitment training for managers</li> <li>Presentation skills</li> <li>Team Building Sessions</li> <li>Essential Conversations for Managers</li> <li>Coaching for Performance</li> <li>Giving &amp; Receiving feedback</li> <li>Facilitation skills</li> </ul>	<b>Training &amp; workshops:</b> <ul style="list-style-type: none"> <li>Mandatory Training and Induction</li> <li>Building Resilience</li> <li>Proofreading</li> <li>L&amp;D Surgery</li> <li>Customer Service for FTP</li> <li>Recruitment as an applicant</li> <li>Web author training</li> <li>Customer Service</li> <li>Supporting Staff Mental Health (For Managers)</li> <li>Writing with Impact</li> <li>Train the Trainer</li> <li>First Aid and Defibrillation (via facilities)</li> <li>Wellbeing Champion Networking Session</li> <li>Recruitment training for managers</li> <li>Presentation skills</li> <li>Team Building Sessions</li> <li>Essential Conversations for Managers</li> <li>Giving &amp; Receiving feedback</li> <li>Motivating &amp; Engaging staff</li> <li>Manager Networking/Action Learning</li> </ul>
<b>E-learning:</b> Do or delegate, Mentoring skills, Presentation skills, Developing Leadership, Developing Performance, Microsoft excel, Report writing, Project Management, Managing meetings, Communication, Coaching, Mandatory training <b>Online toolkits ( how to guides):</b> Knowledge sharing, giving and receiving feedback (Mgrs & staff), Managing upwards, Effective performance management, Motivating, Engaging & developing teams, Supporting staff career development, My career development, Action learning sets, Reflective practice, Coaching toolkit, Best practice for one to ones, Creating objectives & development plans, Managing change, Holding challenging conversations, Giving and receiving feedback, A-Z Coaching questions, What is a team brief, Performance & Development Guide <b>Skillpills (online videos):</b> Achieving work life balance, Be more authentic, Becoming a coach, Connecting with People, CQC Information Sharing, Creating a good work atmosphere, Dealing with team conflict, Dealing with tension, Giving praise, Giving tough feedback, Managing projects, Managing time efficiently and effectively, Managing your unconscious bias, Mindfulness – beginners mind, Mindfulness – coping with stress, Motivating your employees, Networks of influence, A doctors experience of undergoing GMC health procedures, Recognise and deal with stress, Setting personal goals, Setting SMART objectives, Solving problems through feedback, Using the COACH system, What is mindfulness			
Individual access to training requests, coaching, shadowing & mentoring			

## Mandatory training review

**14** An external supplier is currently conducting a review of our Infosec/DPA/FOI training provision. We are expecting an outcome Q2/ Q3. This will inform next steps on our mandatory training provision which we will propose to PRB.

## Planned Programmes

**15** The following programme of work is planned for Q3:

- Online Manager's Induction to include skills workshops and online resources on the L&D portal on; Essential Conversations, Coaching for Performance, Giving & Receiving Feedback, Motivating & Engaging Staff, Manager Networking/Action Learning.

- Ongoing delivery of Emotional resilience programme workshops; building resilience, customer service at the GMC, supporting staff with challenging interactions, handling challenging contacts.
- Whistleblowing training design and development will be completed in partnership with FTP operational leads throughout June and July 2016.
- Corporate training programme delivery outlined above in Quarter 3.
- Equality & Diversity training design and development will be completed in partnership with E&D team throughout July and August with planned delivery September/October 2016.
- Initial proposals in response to Apprenticeship levy to be considered in June / July 2016.
- Planning for a roadshow event raising awareness of Emotional Resilience & Well-being programme for GMC staff.
- Researching external accreditation frameworks for being recognised as an employer who supports well-being/mental health in the workplace.