



## **Whistleblowing Policy**

YOR Local Medical Committee Limited (YORLMC Ltd) works in conjunction with Bradford & Airedale Local Medical Committee (BA LMC) and North Yorkshire Local Medical Committee (NY LMC) and is the professional voice for all NHS GPs and practice teams across the areas of North Yorkshire, the City of York, Bradford, Airedale, Wharfedale & Craven districts. YORLMC Ltd is a gateway to pastoral care and provides personal and confidential support for GPs and practices in difficulty or experiencing major change. It also provides personal advice and support for practices on a wide range of issues.

**Speaking up about any concern you have at work is vitally important. We hope that raising any potential concern regarding YORLMC will give you confidence that the matter will be, or has been, looked into properly.**

**If you raise your concern with us, YORLMC will listen and use the information to inform our work.**

### **1. Introduction**

- 1.1 The intention is that this policy be reviewed annually by the Board of YORLMC Ltd.
- 1.2 This policy applies to LMC Members, Officers, Directors, Contractors and employed staff.
- 1.3 If you see or find out about something you think is wrong at YORLMC Ltd you should report it in accordance with clause 4 and clause 5 below.
- 1.4 YORLMC's Chief Executive, in conjunction with the Board of YORLMC Ltd is responsible for the investigation and operational oversight of any complaints.
- 1.5 Raising concerns about wrongdoing can be one of the most difficult and challenging things to do. You should be able to come forward with legitimate concerns without fear of being blamed or suffering any disadvantage for reporting those concerns.

### **2. What types of concerns can be raised by whistleblowers?**

2.1 Section 43K of Public Interest Disclosure Act 1998 grants protection to employees, as well as certain workers, contractors, trainees and agency staff who raise concerns about wrongdoing, risks or malpractice which it is in the public interest to disclose and where the disclosure falls into one of more of the following categories:

- A criminal offence that has, is being, or is likely to be committed.

- Unauthorised or inappropriate disclosure, misuse or loss of confidential, personal and / or sensitive information
- A miscarriage of justice
- Risk or damage to the environment
- A danger to the health and safety of employees or others
- Attempts to suppress or hide information relating to wrongdoing including but not limited to; fraud, tax evasion, bribery, breach of policies, conduct which may cause reputational damage, negligence and/or deliberate concealment of any issues as set out above in this clause 2.

2.2 A concern can include an incident that happened in the past, is happening now or that you believe is likely in the future.

2.3 As long as you hold a reasonable belief that the information is true then the matter you have reported will remain confidential whether you are mistaken, or the matter cannot be proved.

2.4 Whistleblowing does not cover concerns where there is no public interest element such as a concern about your own employment or related matters, and employees are reminded that the grievance provisions set out in the staff handbook will apply.

### **3. Making your claim anonymously**

3.1 It is possible for you to raise your concerns anonymously if you wish to do so. However, this may mean that it is difficult to investigate fully if you do not provide us with enough information.

3.2 We assure you that we will not tolerate any harassment or victimisation of LMC Members, Officers, Directors, Contractors and employed staff and would encourage you to provide us with your name so we can fully investigate the matter. You may ask us to maintain your confidentiality when doing so and we will respect this.

3.3 If you ask for confidentiality we will make every effort to protect your identity unless required to disclose it by law. If it becomes clear that we are unable to resolve the issue without revealing your identity we will discuss this with you, taking into account your views and our wider legal obligations before deciding whether or not to proceed with an investigation.

### **4. How to raise a concern internally**

#### Step 1

4.1 LMC Officers and Members should raise any matter of concern, serious or otherwise with their Committee Chair (or Deputy if any matter to be raised involves the Chair). This may be done either verbally or in writing.

4.2 Directors and Contractors should raise any matter of concern, serious or otherwise with the Chief Executive (or YORLMC Board Chair if any matter raised involves the Chief Executive). This may be done either verbally or in writing.

4.3 Employees should raise any matter of concern, serious or otherwise with their line manager (or Chief Executive if any matter raised involves the employees line manager). This may be done either verbally or in writing.

## Step 2

4.4 If these steps have been followed and you still feel you have concerns, or feel that your concerns have not been addressed, or that you cannot discuss the matter with any of the above then you should contact the Chief Executive or the YORLMC Board Chair.

4.5 When raising your concern, please provide an explanation with as much detail as possible including dates and times of incidents, any eyewitness details and provide any supporting documents that you may have.

## **5. How to raise a concern externally**

5.1 Where attempts to raise matters internally have been unsuccessful or, exceptionally, you feel you cannot raise their concerns internally, you may consider raising the matter with the relevant regulatory authority. For more advice on this you can contact the charity [Protect](#) on 0203 117 2520.

## **6. What happens next?**

6.1 The person with whom you raise the concern will consider your concern in full and determine whether any action is needed. This may mean reporting it to the Chief Executive or the YORLMC Board Chair.

6.2 We will try to keep you informed about the actions that we are taking in relation to the concern including how we propose to deal with the matter, whether we need further assistance from you, any action that is taken and the outcome of the investigation. However, we may not be able to provide you with any details where we have a duty to maintain confidentiality of other people.

## **7. Support for whistleblowers**

7.1 Whistleblowing may be very difficult. We will take every step to ensure we protect and support whistleblowers internally. However, we recognise that people may feel more comfortable seeking external support in this situation.

7.2 If we see any evidence that indicates that you may be being harassed or victimised as a result of raising a concern with us, we will carefully consider whether this indicates a wider issue about how YORLMC is being run and consider what action we need to take to address that.

7.3 The independent charity [Protect](#) on 0203 117 2520 can also provide support. Their lawyers can give you free confidential advice at any stage about how to raise a concern about work. They will also provide advice on the circumstances in which it may be appropriate for you to contact an outside body.

This document has been created by YORLMC Ltd and is not permitted to be distributed or reproduced without the written consent of YORLMC Ltd.

<b>Date</b>	<b>Author</b>	<b>Document History</b>
Nov 2020	Corporate Affairs Team, YORLMC Ltd	Agreed YORLMC Board – November 2020

Oct 2021	As above	Copyright information added, pronouns updated
Nov 2021	As above	Updated introductory paragraph
Feb 2022	As above	Copyright updated
Mar 2022	As above	Updated introductory paragraph
December 2023	As above	Refresh