

**RESPONSIBLE REPORTING OF CONCERNS ABOUT BAD PRACTICE
(Also known as Whistleblowing)**

Report of the Director of Social Services

Author: Jean Farrer, Head of Standards (Tel: 01707 280653)

Executive Member: Julia Price

1. Purpose of Report

To report on the arrangements the department has in place to respond to concerns raised by staff about poor practice and improper conduct to safeguard the interests of service users and their carers.

2. Summary

- 2.1 The Hertfordshire County Council 'Code of Conduct for HCC Employees' (including the whistleblowing procedure) and the Social Services Department 'Responsible Reporting of Concerns about Bad Practice' procedure were launched jointly in 1997 for staff employed within the Authority. This was in response to The Nolan Report (Third Report of the Committee on Standards in Public Life 1997).
- 2.2 In September 1999, the requirement for external service providers to have their own whistleblowing procedures was implemented both through our Accreditation Scheme and Contract Regulations. In the interim, staff employed by external providers have had access to this Authority's procedures.
- 2.3 The above procedures provide a safety mechanism to support a wide range of robust measures the department and the Social Services Inspectorate have in place to safeguard service users and carers
- 2.4 There is evidence that staff do raise concerns about practice in a number of ways within and from outside the department - making use of the normal management lines or trusted senior colleagues to do so.

- 2.5 The formal Responsible Reporting mechanism has been hardly used at all. This reflects the national picture. It is widely known that staff find it enormously difficult to 'blow the whistle' on their colleagues. Now that the basic systems are in place, there needs to be a further investment in training and supporting staff to feel confident to use them.
- 2.6 There needs to be an effective handover of the more detailed Responsible Reporting procedure to the Children, Schools and Families Service in April 2001.

3. Conclusions

- 3.1 There are effective mechanisms in place to safeguard the interests of service users and carers - in terms of robust management processes, external scrutiny, and procedures to tackle any outstanding concerns about poor practice.
- 3.2 It will be important to ensure that these are transferred appropriately into the 2 new services from April 2001.
- 3.3 The Children, Schools and Families and Adult Care Services departments will need to build staff familiarity and confidence in using the Responsible Reporting mechanism to continue to tackle any instances of poor practice.

4. Background

- 4.1 The County Council reinforced its expectations of the highest standards of conduct from its employees in the context of the modernisation of local government through the launch of the HCC Code of Conduct in October 1997. This included a new provision for a whistleblowing procedure identifying key senior staff who should be contacted with any staff concerns.
- 4.2 In recognition of the particularly vulnerable users of services provided by, or purchased by the Social Services Department, a more detailed procedure and set of guidance was issued at the same time to Social Services staff. This focussed more specifically on tackling bad practice to safeguard users and carers.
- 4.3 The overall framework for setting out the standards to expect from those engaged in public life was provided by The Nolan Report (Third Report to the Committee on Standards in Public Life 1997). The Policy Committee considered the key matters arising from the Nolan Report in November 1997. The Standards Panel was charged with overseeing the implementation of the procedures and received a report on the numbers of cases in the first year in October 1998.
- 4.4 In September 1999, the Social Services Committee approved a policy statement requiring all external service providers (from whom we purchase services or accredit to provide services) to implement a responsible reporting procedure. As an interim measure, they were asked to ensure that their staff were aware that they could use the one available through this Authority.
- 4.5 This procedure needs to be seen as an additional safety mechanism in the context of robust processes in place to deal with recruitment and selection, performance management of staff, the disciplinary and grievance processes, quality monitoring of internal and external service provision, contract regulations, and inspections – both by the Registration and Inspection unit and the Social Service Inspectorate. Many of these provisions have been validated through the external scrutiny of the Social Services Inspectorate, Joint Review Team and ISO 9002 assessors.

5. How the procedure works in practice

- 5.1 The Responsible Reporting procedure is attached as Appendix 1 to this report.

The key elements are:

- Staff are encouraged to raise any nagging doubts about practice, in good faith and without detriment to themselves;
- 3 designated off-line Independent Contact Officers are available for staff to discuss concerns with. They will advise on how they can be raised or

investigated in the most effective way; (i.e. Head of Child Protection, Head of Adult Care Practice, Race Equality Policy Officer);

- Message-taking answer- phone is provided out of hours;
- Head of Standards ensures that concerns are handled effectively and overall reports are submitted to corporate Personnel.

- 5.2 When the procedure was launched in October 1997, each member of staff was provided with an explanatory letter and leaflet explaining the procedure, what it was for and how to use it. It was also the subject of departmental publicity and local team briefings. All new staff now receive a copy of the HCC explanatory leaflet with their contract and the Responsible Reporting leaflet will be included once it is updated in preparation for the new adult and childcare services in April 2001.
- 5.3 The Service Standards Officers who accredit home care agencies ensure that the procedure is in place as part of the Accreditation process. It is a regular part of the contracting process and checked by the Contract Managers.
- 5.4 Experience over the last 3 years has shown us that the formal process – although known to many staff – is rarely used. There have been 3 reports to date over the last 12 months. However, there is evidence that staff *do* raise concerns with line managers, or senior staff who have specific expertise/or are off-line to the particular service in question. This is an opportunity to check out whether their concerns seem reasonable and explore how they could be tackled. Usually, the result is to find an effective way to feed them in to the line manager and the problem is resolved.
- 5.5 However, there are many staff who do not feel comfortable or confident to raise their worries. They may well be uncertain about the outcome for them in continuing to work with their colleagues and even the organisation agency itself. It appears that much more support and encouragement is necessary to help staff come forward with their observations of bad practice.
- 5.6 One example of how Responsible Reporting is going to be introduced in practice is the forthcoming training for staff in adult residential and day care service regarding its relevance to putting The Vulnerable Adults at Risk procedure into practice. These are key staff working with some of the vulnerable service users – it will be helpful if they are fully aware of their important responsibility to safeguard them by reporting any worries while they are in our care. This is part of an effective inter-agency training approach with colleagues from health and the police.

6. Future developments

- 6.1. Preparations need to take place to ensure the effective transfer of this important procedure into the Children, Schools and Families service and Adult Care Service.
- 6.2. It is important there is greater support and encouragement to use the procedure. It has been identified as potential item when the new Team Talk arrangements are implemented across the whole of the organisation.
- 6.3. For Adult Care Service, there are already promising steps being taken to integrate the use of the procedure into training and development for practitioners in ways which are immediately relevant to their day to day practice. This needs to be built on in other areas of the service.

Background material used by the Author when compiling this report

1. The Nolan Report on Standards of Conduct in Local Government - Policy Committee 6th November 1997
2. Responsible Reporting of Concerns about Bad Practice (Whistleblowing) SSBN 97D223
3. HCC Code of Conduct (incorporating Whistleblowing procedures) 1997 Annual Report on Complaints - Social Services Committee 9th September 1999.