

The *speaking up* charter

A commitment to work together to support those who raise concerns in the public interest

This charter outlines a commitment to work more effectively together to create a *just* culture which is open and transparent. A *just* culture ensures individuals are fully supported to report concerns and safety issues, and are treated fairly, with empathy and consideration, when they have been involved in an incident or have raised a concern.

This commitment recognises that we have separate but linked responsibilities for key aspects of the provision and regulation of care, or for supporting our members to provide high-quality, safe care. We aim to develop a culture that provides for an environment where people feel able to raise concerns, be they staff, users of health and social care services, their relatives, or anyone else.

The commitment

Our organisation agrees to:

- work in partnership with other organisations to develop a positive culture by promoting openness, transparency, fairness, reporting and learning as an important and integral part of providing safer patient and public care
- adhere to the principles of this charter to foster a culture of openness which supports staff to raise concerns
- share expertise to create effective ways of breaking down barriers to reporting incidents and concerns early on
- exchange information, where it is appropriate and lawful to do so, in the interest of patient and public safety
- signpost individuals to support and guidance to ensure that they are fully aware of and understand their protected rights under the Public Interest Disclosure Act 1998 (PIDA)
- seek to highlight issues where current law or regulations may restrict those who wish to raise a concern about a human error.

Key principles

Safety should be at the heart of all care, and must be underpinned by a *just* culture which is open and transparent. This leads to increased reporting, learning and sharing of incidents, and best practice. As partners, we recognise that this is the responsibility of everyone involved in the provision of health and social care services. We are committed to working towards ensuring that all individuals are treated in a service which is open to feedback, and encourages as well as supports its staff to raise concerns.

Staff engagement in the development and delivery of our services is fundamental in this. Registered health and social care workers have a duty to follow their professional codes

of conduct, but equally we encourage organisations to develop their own statement of values for all staff based on the principles of these codes.

Individuals providing care services should always feel free to raise concerns through local processes and be supported to do so directly with their employer, professional regulatory body, professional association, regulator or union. PIDA 1998 makes provision to protect those individuals who report concerns using any such processes appropriately.

Whilst the existence of compromise agreements between employer and employees generally should not be a cause for concern, compromise agreements containing clauses seeking to prevent disclosures protected under the PIDA 1998 are not acceptable.

Policies should be developed and continuously promoted to encourage and enable individuals to report and discuss concerns early on before a serious incident occurs. It is therefore crucial that adequate training and support is provided for managers so that they fully understand their roles and responsibilities in handling concerns which will enable them to support staff to raise issues with them and respond appropriately.

Organisation name: NHS Employers

Signatory name: Dean Royles

Job title: Director

Signature: 

Date: 15 October 2012

This commitment aims to promote and assist joint working between the organisations listed below. It does not create a legal partnership, and no organisation shall be in any way liable for the actions of another party.

Academy of Medical Royal Colleges

British Association of Occupational Therapists

British Dental Association

British Dietetic Association

British Medical Association

British Orthoptic Society

Care Quality Commission

Chartered Society of Physiotherapy

Federation of Clinical Scientists

General Dental Council

General Medical Council

General Municipal and Boilermakers

General Optical Council

General Osteopathic Council

General Pharmaceutical Council

Health & Care Professions Council

Hospital Consultants & Specialists Association

Managers in Partnership

NHS Employers

Nursing & Midwifery Council

Royal College of Midwives

Royal College of Nursing

Royal Mencap Society

Royal Pharmaceutical Society

Society of Chiropractors & Podiatrists

Society of Radiographers

UNISON

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