Royal College of Nursing

Raising and Escalating Concerns

CORPORATE

Contents

1. Why should I raise a concern? 3

2. Responding to concerns: a guide for nurses who manage staff 8

Appendix 1: Raising and escalating concerns flowchart 11

Raising & Escalating Concerns: a guide for nurses, nursing associates, students and health care support workers

For the purposes of this guidance, raising concerns is defined as identifying an issue and bringing it to the attention of a colleague or manager. Escalating concerns is defined as taking a concern further by submitting evidence and going through the formal organisation processes.

1. Why should I raise a concern?

In health care it has long been recognised that a culture that promotes learning is required to ensure patient safety and promote high-quality person-centred care. You should therefore be confident that doing the right things – reporting incidents, near misses and concerns, being candid about mistakes, talking openly about errors and sharing ideas for improvements – are all welcomed and encouraged. You should be confident that your team and organisation will focus on system learning, not individual blame and you should be psychologically safe when raising concerns.

Psychological safety relates to an individual's perspective on how threatening or rewarding it is to take interpersonal risks at work. For instance, is this a place where new ideas are welcomed and built upon? Or picked apart and ridiculed? Will my colleagues embarrass or punish me for offering a different point of view or for admitting I don't understand?

A key component of psychological safety is that it is usually experienced at group level – most people in a team tend to have the same perceptions of it, so if you feel unsupported at work your colleagues probably feel that as well.

In some teams and/or organisations the prospect of raising a concern about care being delivered or the environment you are working in can be daunting to contemplate. There may be times when you find yourself worried or concerned by what is happening around you that is impacting, or may impact, on the safety of those in your care and/or your own or your colleague's safety or wellbeing.

We know raising concerns or speaking up is not always easy, however the health, safety and wellbeing of those around you, including yourself, must be a priority, and any delay in reporting your concerns could have a negative impact for those people. It is important to remember that it is in everyone's best interest (patients, staff and managers) to identify when something isn't right, learn from this and make improvements.

Raising and escalating concerns is a central clause in the Nursing and Midwifery Council (NMC) Code, which says nurses must "act without delay if you believe that there is a risk to patient safety or public protection" (NMC, 2018).

The requirement to report concerns is often included in employment contracts, and within the roles and responsibilities set out in job descriptions. These usually state that staff members must notify relevant managers, leaders, educators or regulating organisations or authorities if they have any concerns relating to the health, safety and wellbeing of themselves, colleagues or those in their care.

Key messages

All registered nurses, nursing associates and HCSWs have a duty to raise concerns.

Raising a concern is the right thing to do. It is about safeguarding and protecting, as well as learning from a situation and making improvements.

What types of concern should I raise?

It can sometimes be hard to know whether you should raise a concern. You should be guided by this question: if you let the situation carry on is it likely to result in harm to yourself or others?

If in doubt, you should always err on the side of caution and raise your concern following your employer's (or HEI if a student) policy.

Issues you might have concerns about could include:

- unsafe patient care or dignity being compromised
- inability to meet the care of patients in your caseload (remember to document missed care in patients record and in organisation's risk management system)
- unsafe working conditions
- increased workloads
- reduced or insufficient staff numbers and/or skill mix
- inadequate induction or training for staff or support for students
- inadequate response to a reported patient safety incident
- suspicions of fraud
- bullying towards patients or colleagues, or a bullying culture.

You can use the RCN's raising and escalating concerns flowchart (appendix 1) to help you decide whether to raise a concern and when to escalate a concern.

Being asked to cover up any risk, inappropriate behaviour or action is wrong. If you are asked not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree. You should escalate your concerns following the steps outlined.

At any stage when raising or escalating a concern, you can contact the RCN for confidential support and advice by calling the RCN on 0345 772 6100 or talking to your local RCN Safety Representative or Steward.

How do I report a concern?

If your concern poses an immediate risk to health and safety of staff and/or patient safety, raise this immediately verbally to the person identified as 'in charge' of the shift, your line manager or duty manager and follow it up with a written summary using the formal risk management reporting method. If the issue cannot be resolved locally and continues to pose a risk, escalate the concern immediately to the next level within your organisational managerial or professional structure.

In all other circumstances read your employer's raising concerns policy. Organisations should have effective procedures in place to allow all staff to raise any concerns they may have in relation to care provided, equipment, working environment, policies and processes.

You should be able to find your local policy on your employer's website. It may also be called speaking up or whistleblowing. See what a model policy should look like in:

- England
- Scotland
- Wales
- Northern Ireland.

Follow your employer's policy and raise your concern.

When you have identified the right person to approach, you can raise your concern either verbally or in writing. You should:

1. **keep to the facts:** give accurate detail about the issue(s) you're concerned with. If there is a specific policy/guideline not being adhered to, state this
2. **stay neutral:** even if you are upset it is important you are clear about the concerns you have and what impact, or possible impact there is, to the safety and/or the care you provide
3. **keep a record:** you may have put your concern in writing or raised it verbally but it's important you make a dated record of what you said. Include key details of what happened, where, when and who was involved
4. **get support:** raising a concern is not always easy so getting support for you is important. This may be from a colleague and/or the RCN. You can contact your local RCN Safety Representative, RCN Steward, or RCN Direct on 0345 772 6100.

NB. As a student you should initially raise your concern with your practice supervisor/practice assessor, or the clinical manager of the practice learning environment. If for any reason you are reluctant to raise a concern with clinical staff you should follow your HEI institution's raising concerns guidance, seek support from the RCN and raise your concern with the academic lecturer designated to your practice learning experience. Concerns must be raised verbally with your academic lecturer and you should keep a factual record of the events at the time of the event, a copy of which will be placed in your file. You may be asked at a later date to write a factual statement with the help of your academic lecturer and/or the RCN. The earlier an expression of concern is made, the easier it is to take action.

What should I expect when raising a concern?

All health professionals must feel confident that if they raise a concern they will be supported – particularly since this is a duty they are expected to fulfil. Managers dealing with concerns should not be focused on judging and accusing – instead they should explore an issue in an open, transparent manner to allow for timely evidence, solutions and recommendations to ensure appropriate action and improvements.

Therefore, if you raise a concern you should expect to:

- be treated fairly
- feel listened to and have your concerns taken seriously
- have access to incident reporting mechanisms such as Datix or other local system for reporting adverse events, or near misses
- receive timely and constructive feedback, including actions taken to resolve your concern.

The person you have spoken to:

- should thank you for speaking up and listen carefully
- maintain your confidentiality
- tell you what they are going to do
- may need to investigate your concern
- will decide on the most appropriate action to take
- communicate what action has been taken, maintaining confidentiality if required.

You should not be subjected to detrimental treatment, such as unwarranted criticism, disapproval or disciplinary action as a result of raising the concern. If you think you are in this situation seek advice and support. If your concerns remain unresolved, seek advice and escalate your concerns (see **RCN Raising and Escalating Concerns Flowchart**). You can contact your local RCN Safety Representative, RCN Steward, or RCN Direct on 0345 772 6100.

What happens if my line manager does not act on or resolve my concerns?

If you feel unable to raise your concern with your line manager or feel your concern has not been acted on, you could raise your concern with the **designated person** in your organisation or take your concern to a **higher level** (eg, a more senior manager or a senior nurse).

You should be able to find out who the designated person is by looking at your employer's raising concerns or whistleblowing policy. The designated person will normally be someone who has been given special responsibility and training in dealing with employees' concerns. If you want your identity to remain confidential, you should say so at this stage.

Alternatively, if you have raised a concern with your line manager and/or designated person but feel they have not dealt with it properly, you should raise your concern with **someone more senior within your organisation**. For example, in the NHS you could take your concern to your department manager, nurse manager/matron, head of midwifery,

associate director/director of nursing or chief executive. You may also choose to do this from the start if, for whatever reason, you feel unable to raise your concern with the internal staff mentioned above.

If you have raised your concern internally but feel it has not been dealt with properly, or if you feel unable to raise your concern at any level in your organisation, you may want to get help **from outside your place of work, for example, regulator of health or social care services or regulator of health or social care professionals or whistleblowing hotline**. This is so that your concern can be investigated under current legislation and for your own protection.

Raising your concern externally (for example to the media or a politician) without clear evidence of first raising the concern internally or with a regulatory organisation, would only be considered appropriate and give you protection under the Public Interest Disclosure Act (1998) (PIDA) in the most extreme circumstances and if it could clearly be shown that you were acting in the public interest.

The PIDA protects most workers in the public, private and voluntary sectors. The Act protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing. The Act has a tiered approach to disclosures (whistleblowing) which gives workers protection for raising a concern internally.

Where can I get help or advice?

Royal College of Nursing (RCN)
0345 772 6100
rcn.org.uk

nmc.org.uk/standards/guidance/raising-concerns-guidance-for-nurses-and-midwives/

Other regulatory and investigatory bodies

Care Quality Commission **cqc.org.uk** See also *Raising a concern with CQC: A quick guide for health and care staff about whistleblowing* (2011)

NHS England (National Patient Safety Agency) **england.nhs.uk**

Professional Standards Authority **professionalstandards.org.uk**

General Medical Council
Raising and acting on concerns about patient safety **gmc-uk.org**

Northern Ireland Regulation and Quality Improvement Authority in Northern Ireland **rqia.org.uk**

Scotland The Care Inspectorate **careinspectorate.com**

Healthcare Improvement Scotland **healthcareimprovementscotland.org**

Wales Healthcare Inspectorate Wales Website: **hiw.org.uk**

2. Responding to concerns: a guide for nurses who manage staff

A workplace culture is the product of the attitudes and behaviours that exist there.

A safety culture is the product of the attitudes towards safety issues and the way work hazards are managed.

For a safe organisation, staff need to be confident that doing the right things – reporting incidents, near misses and concerns, being candid about mistakes and talking openly about error – are all welcomed and encouraged. They need to know that the organisation will focus on system learning, not individual blame, and believe they are psychologically safe when raising concerns or putting forward ideas for improvement.

Your professional duties

As a clinical leader you have an important role in ensuring staff are empowered to openly raise concerns, constructively question decisions and put forward ideas that can improve working environments or improve patient safety or experience.

It is important that leaders create a culture of psychological safety where staff at all levels are able to discuss and raise issues that are of concern to them without fear. Where leaders really care for staff and ensure that they are supported and equipped, this will facilitate the provision of high quality care to patients.

The NMC (2018) is clear that promoting an open work environment in which staff are accountable and encouraged to raise concerns about the safety of people in their care will help identify and prevent more problems and will protect the public.

If you are a clinical leader or hold a position where others may bring their concerns to you, you must create a culture in which all staff can raise concerns openly and safely following **NMC Raising concerns: Guidance for nurses, midwives and nursing associates (2018)** in particular section 38 which details the following actions.

- Make sure appropriate systems for raising concerns are in place and that all staff can access them. Consider whether staff can gain access confidentially to your organisation's whistleblowing or raising concerns policy.
- Make sure staff can see all concerns are taken seriously, even if they are later seen to be unfounded.
- Tell the employee who raised the concern how you propose to handle it in line with your employer's policies and give a timeframe in which you will get back to them, both verbally and in writing.
- Investigate concerns promptly and include a full and objective assessment.
- Keep the employee who raised the concern up to date with what's happening. This will give them and others confidence in the system.
- Take action to deal with the concern and record and monitor this action.

- Make sure staff who raise concerns are protected from unjustified criticism or actions.
- Have processes in place to support employees raising concerns. This support may need to be offered confidentially from outside the organisation.
- If harm has already been caused to a person in your care, explain fully and promptly what has happened and the likely outcomes. This duty is clearly supported by the NMC's Code.

In addition, as a staff manager or leader, it is important that you understand and follow your organisation's raising concerns policy when concerns are raised. The policy should set out the difference between:

- a personal grievance – which HR can advise on
- a concern that is in the public interest.

This could be about:

- unsafe patient care or dignity being compromised
- inability to meet the care of patients in your caseload (remember to document missed care in patients record and in organisation's risk management system)
- unsafe working conditions
- a lack of care by other professionals
- increased workloads
- reduced or insufficient staff numbers and/or skill mix
- inadequate induction or training for staff
- inadequate response to a reported patient safety incident
- suspicions of fraud
- bullying towards patients or colleagues, or a bullying culture.

When discussing a concern with staff, you will need to identify the type of concern being raised and the policy that applies.

When staff raise a concern, you should always:

1. thank them
2. treat their concern seriously and listen carefully
3. respect confidentiality as far as reasonably possible
4. manage their expectations - if it is clear that the concern does not fall within the raising concerns policy, you need to explain this
5. explain what advice and support is available to them
6. assess whether immediate action is necessary to address any risk to patient safety

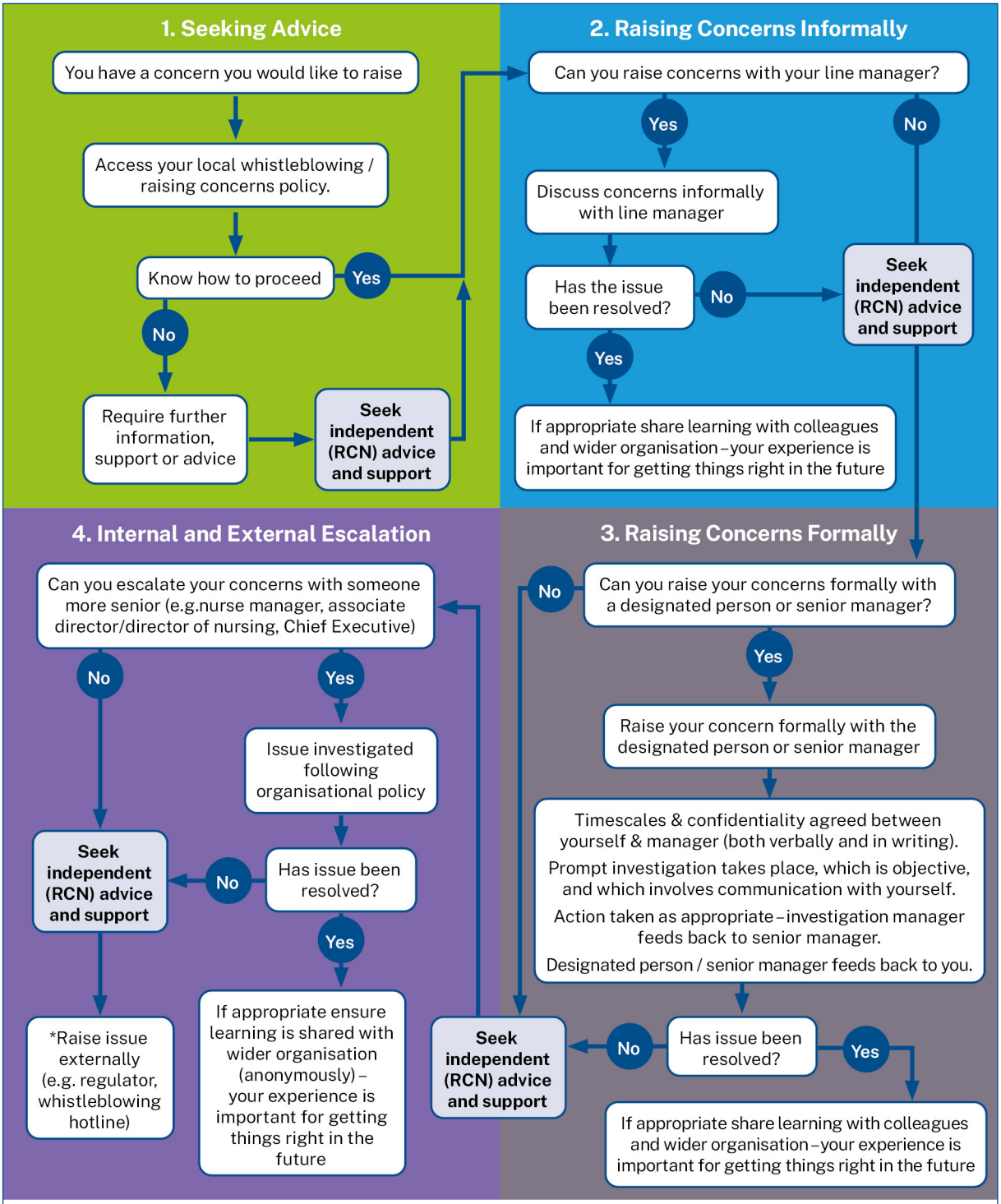
7. record any risk as per organisation policies and procedures and put in place any mitigating action that you can reasonably undertake within the resources and authority you have
8. escalate concerns/risks and seek support if mitigating actions are outside your level of authority, or require more sustainable solutions or resources.

You may need to conduct an investigation. If possible, you should tell the staff member raising the concern about any outcomes or actions. You will need to consider whether any information is confidential and whether it can be shared or not.

If the individual is unhappy with the way their concern has been handled, you should tell them how to escalate their concern following your employer's raising concerns policy.

It is important to keep notes of conversations and actions taken throughout the process.

Appendix 1: Raising and escalating concerns flowchart



*Raising your concern externally without clear evidence of first raising the concern internally or with a regulatory organisation, would only be considered appropriate and give you protection under PIDA in the most extreme circumstances and if it could clearly be shown that you were acting in the public interest.

For help and advice on any aspect of raising and escalating a concern:
Royal College of Nursing (RCN)
0345 772 6100 **www.rcn.org.uk**

The RCN represents nurses and nursing, promotes excellence in practice and shapes health policies

RCN Direct
rcn.org.uk/direct
0345 772 6100

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