

All our information sheets are available to download free of charge because we believe that money should not be a barrier to getting the information you need when you need it.

Please see the end of this information sheet for details of how to support us.

We want to make sure our resources are helpful. Please spend a few minutes giving us some feedback: [Feedback form](#)

## Whistleblowing

This section of the Family Carer Advocacy Pack covers whistleblowing. In 2011 the BBC aired a Panorama programme showing the abuse and neglect of people with a learning disability, autism or both in a service called Winterbourne View. This scandal came to light after a staff member contacted the BBC who subsequently recorded their undercover journalist's findings. The staff member felt that they had no choice but to contact an external agency because despite raising concerns and making complaints about the care and support and treatment of people with a learning disability, autism or both using internal reporting procedures, this did not result in any changes. This type of disclosure is referred to as whistleblowing. [Whistleblowing](#) is defined as the act of speaking out about wrongdoing in the workplace.

The Public Disclosure Interest Act 1988 protects whistleblowers if they report any of the following:

- a criminal offence, for example fraud
- someone's health and safety is in danger risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing



A whistleblowing concern can be raised at any time about an incident that happened in the past, is happening now, or may happen soon.

### Closed Cultures and Whistleblowing

CQC define a closed culture as "a poor culture that can lead to harm, which can include human rights breaches such as abuse. Any service that delivers care can have a closed culture". Closed cultures make it difficult for staff to raise concerns or make complaints so they may rely on whistleblowing instead.

Read their guidance for CQC staff: [Identifying and responding to closed cultures' which includes the characteristics of closed cultures](#)



One identified characteristic by CQC is poor and weak management and leadership, including:

- There are regular changes in management or managers are not regularly present and at times the service may run without a manager.
- Managers do not lead by example.
- Managers fail to monitor, and address issues raised by staff.
- Information about concerns or whistleblowing are covered up, e.g. falsifying records.
- Staff are not supported or encouraged to raise concerns.
- The workforce comprises members of staff who are either related or friends, causing 'cliques' (closed group) to form and shift patterns within the service mean that the same people are always working together, and staff are not mixing with other colleagues.
- Allegations of staff bullying other staff and how this is managed. There is often a link between staff bullying and poor care and support and/or treatment.
- There is a high turnover of staff, consistent staff shortages and a high use of agency staff who do not know the people they are supporting.
- There is a lack of suitable induction, training, monitoring, and supervision of staff.
- During COVID-19, employment checks were not as thorough, giving job applicants who could harm people who use services greater opportunities to be employed.

All the above can contribute to staff lacking the confidence or being worried and frightened about the consequences of

raising concerns, making a complaint and whistle blowing. This may result in them reaching out to an external organisation or alternatively disclosing their concerns to you (family carer). This can be distressing for both parties but now you have this information you will have to act on it.

You should:

- Not promise to keep the information confidential, e.g. agree to take no further action
- Encourage the staff member to disclose the information personally, including:
  - As a safeguarding referral to the local authority
  - To [the CQC](#)
  - To [the NHS](#), if this is who runs the service
- Make your own safeguarding referral and report to CQC
- Speak to the person responsible for commissioning your relative's service and ask them to investigate
- Tell the staff member about the charity [PROTECT](#) which provides free confidential advice to staff who have concerns about wrongdoing in the workplace or [Speak Up Direct](#) which is a whistleblowing helpline for staff working in the NHS or social care sector

### Key message:

If the information disclosed to you leads you to believe your relative (or somebody else) is in immediate danger you must call the police.

### Further information

[Support relating to abuse of people with learning disabilities](#)





We are the charity for people with severe learning disabilities who display challenging behaviour. We make a difference to the lives of children and adults across the UK by:

- Providing information about challenging behaviour
- Organising peer support for family carers and professionals
- Giving information and support by phone or email
- Running workshops which reduce challenging behaviour

To access our information and support, call 01634 838739, email [info@theCBF.org.uk](mailto:info@theCBF.org.uk), or visit our website: [www.challengingbehaviour.org.uk](http://www.challengingbehaviour.org.uk)

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