

Council

Meeting Date	04 December 2025
Title	Updates to the speaking up (whistleblowing) policy
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Executive Summary

Background

The HCPC's speaking up (whistleblowing) policy was approved by the Council in December 2024 following a recommendation by the Audit and Risk Assurance Committee (ARAC), which has responsibility for reviewing the policy and monitoring its operation. At this time the policy underwent a comprehensive review and was checked against the criteria in the policy review framework published by the National Guardian for Freedom to Speak Up. The updated policy is key to the HCPC's culture of encouraging and welcoming speaking up in the broadest sense and links to the great work carried out by our Speak Up Guardians who have been in post since December 2024.

2025 review

In collaboration with the Speak Up Guardians, a light-touch review of the speaking up (whistleblowing) policy has been undertaken to consider the learning points highlighted in the recent [NMC report on the handling of the whistleblower](#) published on 25 September 2025. The report contains ten recommendations which are relevant to the HCPC.

In response to the learning highlighted within the report we propose to update the Speaking up policy as shown via track changes at Annex 1. These actions are in relation to the following.

- Ensuring that all internal qualifying disclosures protected under whistleblowing law (the Public Interest Disclosure Act 1998) are referred to the Head of Governance so that a central log of internal qualifying disclosures can be maintained and to ensure that reporting and escalation requirements are appropriately managed. External qualifying disclosures are referred to the Policy team in line with existing guidance for disclosures relating to the HCPC's role as a prescribed person.
- Amending the wording relating to confidentiality to make it clear that we cannot guarantee that the identity of a whistleblower won't become known to others.

- Ensuring that where an investigation is carried out that there will be a named point of liaison to ensure proactive communication with a whistleblower.
- Clarification of the process where multiple investigations may be required and ensuring that the impact on the whistleblower of liaising with multiple investigators is minimised.
- Updating reporting arrangements to make clear that reporting to the People and Resources Committee will take place in addition to the existing reporting to the ARAC. This will ensure that issues related to the culture in the HCPC are overseen and monitored by the relevant committee.
- Changing the review cycle from three year to two years so that the policy can continue to develop.
- Some text from the original policy has also been moved to aid the flow of information and for clarity.

Checks are also under way to ensure that any relevant policies correctly cross-refer to and signpost the speaking up (whistleblowing) policy, the policy is currently still referred to as the whistleblowing policy in a number of related policies. The fraud and antibribery policies are due to be reviewed and considered at the March ARAC meeting and will be updated at this time. These policies are also part of the HCPC Code of Governance which will also be updated in due course.

There are additional actions that we plan to undertake but these require a longer timeframe to complete, these actions are to:

- Ensure that all managers receive mandatory training on whistleblowing to ensure that they know how to recognise and deal with such concerns, and how whistleblowers should be treated. We currently have an optional on-line training offer which we will review to ensure that it is fit for purpose and covers all avenues to speak up.
- Consider our routes of escalation and ensure that these are effective and appropriate.
- Consider the feasibility of establishing a confidential email address or another confidential channel for senior employees with shared mailboxes where confidential information around whistleblowing can be shared.

A number of other actions highlighted within the NMC report required no further action by the HCPC, given the HCPC's existing arrangements in place:

- The Speaking up (whistleblowing) policy is prominently available to all staff on the intranet.
- Staff will be asked (via a survey or similar) if they know how to raise concerns, and if they are confident that concerns which are raised will be addressed.
- The policy clearly sets out the role of the ARAC Chair as designated point of contact for employees.

As part of our additional work, we will also complete a benchmarking assessment supported by Protect, the UK's whistleblowing charity, to evaluate the HCPC's whistleblowing practices across three essential sections: Governance, Operations, and Engagement to help further strengthen HCPC's ethical framework in alignment with best practices and the EU Whistleblowing Directive.

The ARAC considered the proposed updates at its meeting on 20 November 2025. There was broad support for the proposed updates with some minor changes suggested, including:

- using role titles of CEO and Chair of ARAC rather than individual names to ensure that the policy does not require updating when a postholder changes (2.2.10 and 2.2.11);
- providing clarity on the next step when a concern is directed to the Chair of ARAC (2.2.11);
- making it clear that if there's any doubt as to whether a concern meets the criteria of a 'qualifying disclosure' this should be referred to the Head of Governance for further advice (2.4); and
- separating confidentiality from anonymity to avoid any confusion.

A follow-up paper will be considered by the ARAC in March 2026 to seek approval of any further changes to the policy and to report on how we have strengthened our underlying processes.

Recommendations

The Council is asked to:

- approve the proposed changes to the speaking up (whistleblowing) policy; and
- note the further work planned to strengthen our speaking up arrangements and ensure that colleagues are aware and confident in using the various routes available to them.

Action required	The Council is asked to consider and approve the proposal or recommendation.
Previous consideration	The Speaking up (whistleblowing) policy was approved by the Council in December 2024 following a recommendation by the ARAC in November 2024. The ARAC considered the latest updates at its meeting on 20 November 2025. In light of its discussion, further minor amendments have been made to provide greater clarity on the roles and responsibilities and on raising a concern anonymously. The ARAC also asked that the training offer once updated should be made a mandatory element for managers and that its roll-out should be prioritised.
Next steps	This policy is published on the HCPC intranet alongside information about the Speak Up Guardians. The next full review of this policy is due to take place in October 2026.
Financial and resource implications	None

Associated strategic priority/priorities	Build a resilient, healthy, capable and sustainable organisation
Associated strategic risk(s)	5.b Our organisational values are not reflected at all levels of the organisation, leading to staff not feeling supported/trusted/listened to
Risk appetite	People - open
Communication and engagement	The updates to the policy will be communicated to staff via a news story on the intranet, further communication will take place with managers regarding training requirements.
Equality, diversity and inclusion (EDI) impact and Welsh language standards	The processes and safeguards set out in the policy will support all employees in raising concerns, including those relating to equality, diversity and inclusion and support an open culture, with positive impacts for all protected groups. As an internal-facing document, we do not consider this engages the Welsh language scheme.
Other impact assessments	Not applicable
Reason for consideration in the private session of the meeting (if applicable)	Not applicable

Speaking up (whistleblowing) policy

1 Introduction and aims

- 1.1 The HCPC is committed to being open and accountable and maintaining high ethical standards in everything we do. We want all employees and everyone who works with the HCPC to feel able to speak up when they have any concerns and know that they will be listened to. Speaking up at work will help the HCPC to keep improving how we protect the public, support our registrants and provide a positive working environment for our employees.
- 1.2 We want everyone to feel able to openly share their concerns through regular line management channels and points of contact. However, we recognise that this may not always be possible so this policy describes other ways that you can speak up about anything that is getting in the way of providing our services, or investigating concerns, or does not feel right. This could be anything from a way of working or a process that is not being followed or you feel is not working as well as it should, if you feel you or a colleague are being discriminated against or you feel the behaviours of others are affecting your wellbeing or that of your team and do not reflect the HCPC's behavioural standards.
- 1.3 Speaking up, therefore, captures a range of issues and in some cases it may be more appropriate to use other existing processes to address these (for example, through our HR processes, through fitness to practise concerns or with another regulator). We will listen and work with anyone who speaks up to identify the most appropriate way of responding to the issue raised.
- 1.4 This policy will explain the different options available to speak up and what to expect in response, the support available from the Speak Up Guardian(s) and how we will ensure that no one is deterred or prevented from speaking up and is protected from any negative treatment because they have spoken up.
- 1.5 This policy applies to everyone who works for the HCPC, including full-time and part-time employees, those employed through an agency or on a fixed term contract and other workers and contractors.

2 How to speak up in the HCPC

- 2.1 Most speaking up will happen through regular conversations with team leaders and managers where challenges are raised and resolved quickly. We want to have a culture at the HCPC where that is normal, everyday practice and encourage this option as the easiest and simplest way to resolve any issues or

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concerns.

2.2 If for any reason it does not feel appropriate to discuss something with your team leader or manager or this has not been fully addressed after you have raised it, then there are other options of who to speak up to, depending on what you would like to speak up about.

2.2.1 The head of the relevant function or executive director with responsibility for an area to raise something about the processes within a department or whether a team or department is functioning effectively, a new risk or a risk that is not being managed appropriately or a new idea or innovation that could improve things. If you do not know which head of function or executive director to speak to details can be found on the [intranet](#).

2.2.2 If you want to talk about your experience working with the HCPC with the Senior Leadership Group, the Chief Executive or the Chair in a Let's Talk session, these can be set up by contacting the Chair and Chief Executive Office by email to cce@hcpc-uk.org.

2.2.3 The Human Resources (HR) department is available if a concern relates to your employment or contract with the HCPC or a grievance or complaint arising from employment with the HCPC. More information about how to do this in the [Grievance and dispute resolution policy](#) and procedure on the intranet.

2.2.4 The Speak Up Guardian(s), who can provide support to speak up in a number of ways, including by signposting to the range of routes available in the HCPC to speak up and by helping access those routes. The Speak Up Guardian(s) can also help if using any of the other options does not feel right or something you have raised has not been addressed fully or you have not received a response. The Speak Up Guardian(s) will ensure that the issues raised are responded to and that the person speaking up receives feedback on the actions taken where possible. You can find out more about the Speak Up Guardian role on the [intranet](#).

2.2.5 Employee Forum representatives, if this is a mutual concern for the HCPC and its employees that would benefit from consultation and discussion at the Employee Forum. There is more information about the role of the [Employee Forum](#) on the intranet. The employee representatives representing different areas of the HCPC can be found on the [intranet](#) and contacted by sending an email to employeeforum@hcpc-uk.org.

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- 2.2.6 By email to bribery&fraud@hcpc.org.uk if this is a concern about potential fraud, theft, misuse of equipment or abuse of position within the HCPC. There is more information in the [Fraud policy](#) and the [Fraud response plan](#) on the intranet.
- 2.2.7 In the event of a data breach or information incident, the Chief Information Security and Risk Officer (dl-infosec@hcpc-uk.org). Data breaches or information incidents should be reported as soon as possible.
- 2.2.8 Any health and safety hazards or concerns should be reported to Office Services by raising a ticket through the Service Desk. More information can be found in the [Health and Safety Policy Statement and Responsibilities](#) on the intranet.
- 2.2.9 If there is a concern about safeguarding and an identified risk of abuse, harm or neglect from anyone who comes into contact with children or adults at risk in the course of their work then this should be raised with a member of the executive or senior leadership teams or with the Human Resources department.
- 2.2.10 The Chief Executive, [Bernie O'Reilly](#), who provides support to the Speak Up Guardian(s) and is responsible for ensuring that our arrangements for speaking up are effective.
- 2.2.11 The [Chair of the Audit and Risk Assurance Committee, who you can email directly via outlook Lianne Patterson by sending an email to \[Lianne.Patterson@hpcpcouncil-uk.org\]\(mailto:Lianne.Patterson@hpcpcouncil-uk.org\)](#). The Audit and Risk Assurance Committee has specific oversight of whistleblowing within the HCPC and the Chair of the committee is an independent, non-executive Council member. The Chair of the committee can also provide support to the Speak Up Guardian(s) and an independent perspective on anything raised with the Speak Up Guardian(s). [The Chair will liaise with the Head of Governance on any concerns raised.](#)

2.3 When speaking up please be ready to explain as fully as possible the information and circumstances that prompted you to speak up. You do not need to have evidence of your concerns before speaking up as we want you to let someone know as soon as possible.

2.3.2.4 [Some concerns raised will be treated as 'qualifying disclosures' under whistleblowing law \(the Public Interest Disclosure Act 1998\) and must be referred to the Head of Governance so that a central log of internal qualifying disclosures can be maintained and to ensure that reporting and escalation requirements are appropriately managed.](#)

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3 Confidentiality

3.1 The most important aspect about speaking up is the information provided and not the identity of the person speaking up. We will do everything we reasonably can to protect the confidentiality of the person speaking up if that is what they would prefer. However, it is important to note, that we cannot guarantee that your identity won't become known to others. For instance:

- Those involved in the investigation of your concern
- Those who are able to identify you during the course of an investigation due to the nature of your concern
- If required by law, we would disclose your identity, for example if there was a police investigation or public inquiry
- Where our duty of care to others overrides your request for confidentiality.

4 Anonymity

~~If we are asked not to disclose your identity, we will not do so without your consent unless required by law. There may be times when we are~~

~~unable to resolve a concern without revealing someone's identity, for example where your personal evidence is essential. If this is the case, we will first discuss with you whether and how the matter can best be taken forward.~~

4.1 Whilst speaking up can be done anonymously, and raising a concern this way is preferred to silence, it can be more difficult for us to investigate a concern as we will not be able to get any further information we need or provide feedback on the actions taken. We may not be able to get to the root of the concern without further help and information from the person who has chosen to speak up.

3.14.2 If a concern that is raised anonymously cannot be progressed due to insufficient information, the Head of Governance must be informed to ensure that a record is kept for future reference.

4.5 External advice and support

4.15.1 Free and confidential independent expert advice about speaking up is available from the independent charity [Protect](#), through its advice line on 020 3117 2520 or by email using the [webform on its website](#). Protect's advisors can talk through the options available and offer help to decide how best to raise a concern.

4.25.2 The HCPC's [employee assistance programme](#) is also available 24/7, 365 days a year.

4.35.3 The HCPC is regulated by the Professional Standards Authority (PSA). If there are good reasons for not speaking to someone with in the HCPC, concerns may be brought to the PSA's attention by contacting concerns@professionalstandards.org.uk. More information about contacting the PSA can be found in its [Policy on responding to serious systemic concerns about the performance of a statutory regulator](#). It is recommended you contact [Protect](#) before reporting a concern externally. Its advisors will be able to provide more information on external reporting.

4.45.4 The HCPC is a party to an Emerging concerns protocol with other health and social care regulators. If there might be a risk to people using services, their families or carers or professionals, and where it would be useful share that risk with other regulators, the HCPC may do so under the [Emerging concerns protocol](#). You can contact your emerging concerns department lead if you would like to talk to someone about the emerging concerns protocol.

4.55.5 The HCPC is also a prescribed person under the Public Interest Disclosure (Prescribed Persons) Order 2014 for matters relating to our statutory functions (the education, registration, standards and fitness to practise of the professions we regulate). If someone from outside the HCPC

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wants to report wrongdoing in the public interest, they should contact the policy team by email to policy@hcpc-uk.org. Guidance is also available on the HCPC's [website](#).

56 What will happen after speaking up?

~~5.16.1~~ We will discuss the issues with you to ensure we understand exactly what you are worried about. We will support our managers and team leaders to listen to any matters raised and take action to resolve it wherever possible. In most cases, it is important that this opportunity is fully explored, which may be with facilitated conversations and/or mediation.

~~6.2~~ If we decide to investigate, we will tell you how long we expect the investigation to take and agree with you how to keep you up to date with its progress. You will be provided with a named contact who will be responsible for communicating with you.

~~6.3~~ The matter being raised may be best considered under an existing HCPC policy or process, for example, our Dignity at work policy, or may require investigation under multiple policies, for instance if your concern raises matters that you relate to you personally as well as concerns of a public interest nature. Some other examples are referred to in the section 'How to speak up' above.

~~5.26.4~~ Where an investigation is needed, this will be objective and conducted by someone who is suitably independent (this might be someone outside the HCPC, a Council member or someone from a different part of the organisation). Where multiple investigations are required we will plan to run these in parallel unless there are compelling reasons to do otherwise. We will also coordinate our evidence gathering in relation to multiple investigations in such a way as to minimise the impact that this may have on you in liaising with multiple investigators. Any investigation conducted ~~it~~ will reach a conclusion within a reasonable timescale and a report will be produced that identifies any issues to prevent similar issues recurring.

~~5.36.5~~ Any employment or conduct issues identified during the investigation will be considered separately.

~~5.46.6~~ We will discuss the issues with you to ensure we understand exactly what you are worried about. If we decide to investigate, we will tell you how long we expect the investigation to take and agree with you how to keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others and recognising that some matters may be strictly confidential, which may mean that in some cases we are not even able to share the outcome with you). If no action is to be

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taken, the reason for this will be explained.

~~5.56.7~~ We want speaking up to improve how we protect the public, the services we provide for registrants and the environment in which our employees work. Where speaking up identifies improvements that can be made, we will ensure necessary changes are made and are working effectively. We will also seek feedback from employees about their experiences of speaking up. Themes and issues arising from concerns and feedback will be shared with the Employee Forum, [the People and Resources Committee](#) and the Audit and Risk Assurance Committee so that they can provide advice and oversight to help us to continue to improve. The identity of anyone raising a concern will not be disclosed as part of this reporting.

~~6.7~~ Protection when speaking up

~~6.17.1~~ The HCPC will not tolerate any harassment or victimisation of any person as a result of speaking up and any such occurrence will be handled through our Dignity at work policy. However, raising a concern that is known to be untrue maliciously will be dealt with under the Code of conduct and behaviour policy.

~~6.27.2~~ Whistleblowers are given legal protection if specific conditions are met, and this is called a protected or qualifying disclosure. More detail on the legal protections can be found at <https://protect-advice.org.uk/pida/> and in the Protected disclosures and whistleblowing section below.

~~7.8~~ Protected disclosures and whistleblowing

~~7.18.1~~ Whistleblowing describes when a worker raises a genuine concern about serious wrongdoing with someone in authority either internally at the HCPC or externally (for example, to another regulator or MP).

~~8.2~~ It can sometimes be difficult to know if speaking up amounts to whistleblowing, however, this is not something that anyone speaking up should worry about as this can be considered after you have spoken up. [Your manager, the Speak Up Guardians and the Head of Governance can advise on whether a concern is considered to be a protected disclosure.](#)
~~7.2~~

~~7.38.3~~ Whistleblowing refers to concerns of wrongdoing or failure the disclosure of which is in the public interest. Public interest means that the concern is of interest to the wider public not just to the person who is raising the concern. This includes risks to the public, registrants, complainants, our employees or the HCPC itself. These are called 'qualifying disclosures'.

~~7.48.4~~ A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

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~~7.4.18.4.1~~ a criminal offence;

~~7.4.28.4.2~~ a miscarriage of justice;

~~7.4.38.4.3~~ an act creating risk to health and safety;

~~7.4.48.4.4~~ an act endangering or causing damage to the environment;

~~7.4.58.4.5~~ a breach of any other legal obligation; or

~~7.4.68.4.6~~ concealment of any of the above,

is being, has been, or is likely to be, committed. It is not necessary to have proof that such an act is being, has been, or is likely to be, committed.

~~7.58.5~~ Some examples are provided below to aid understanding of what is meant by concerns in the public interest. This list is not exhaustive.

~~7.5.18.5.1~~ Performance data is being misreported to hide an issue.

~~7.5.28.5.2~~ A colleague has registered someone knowing they are not eligible.

~~7.5.38.5.3~~ You suspect someone is transferring HCPC money into their own bank account.

~~7.5.48.5.4~~ You see a report about asbestos in the HCPC's offices but are told to keep quiet about it.

~~7.68.6~~ The legislation governing whistleblowing and protected disclosure allows certain categories of worker to lodge a claim for compensation with an employment tribunal if they suffer any detriment as a result of speaking up.

~~7.78.7~~ It is understandable that those raising concerns are sometimes worried about possible repercussions. The HCPC aims to encourage openness and accountability and will support employees who raise genuine concerns under this policy and who may otherwise be involved when concerns are raised or in any investigation of these concerns. If someone has made untrue allegations maliciously, for example in bad faith or with a view to personal gain, this will be dealt with under the Code of conduct and behaviour policy.

~~89~~ Review and approval of this policy

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8.19.1 This policy will be regularly reviewed, at least once every ~~two~~^{three} years, by the Head of Governance and approved by the Audit and Risk Assurance Committee, which has responsibility for oversight of speaking up and internal whistleblowing, and the Council.

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