

University of Wolverhampton
Faculty of Education Health and Wellbeing
Escalating Concerns: Procedure and Guidance

1.0 Introduction:

The University of Wolverhampton currently has a Public Interest Disclosure Policy Statement and Guidelines to ensure that all times the organisation's business is conducted with probity. The guidelines state that the University will not condone any business activity that is illegal or improper. This applies to individual members of the Board, senior managers, and members of staff or students at the University or its suppliers or contractors. The escalating concerns procedure and guidance outlined below should be read in conjunction with the University's guidelines; these guidelines relate specifically to concerns about 'severe bad practice' and organisational risks in health and social care settings.

It is recognised that students may have anxieties about raising concerns and need to balance this with the responsibilities of health and/or social care professionals to put the interests of the people in your care first, and act in their best interests to protect them if you consider they are at risk. Raising concerns enables poor and dangerous practice to be challenged, and promote the dignity and well-being of service users. The university is committed to support students who escalate concerns in accordance with these procedures.

1.2 Aim

The aim of the procedure is to protect patients and service users and carers, and to support students and off-site practice assessors¹ who witness 'severe bad practice' or who encounter persistent organisational risks that may compromised patient/service user safety. The procedure respects the current legal requirements in accordance with the Public Interest Disclosure Act 1998 (PIDA), and is in line professional body guidance that advises students who are worried about a situation which might put someone at risk to speak to a member of the placement team or education provider.

2.1 Definition of 'Severe Bad Practice':

In order to assist all parties whom this procedure may affect the term '*Severe Bad Practice*' will refer to '*all instances malpractice, negligence and unprofessional behaviour directed towards a client/s*'

This could include the following: -

- Occasional or systematic abuse of service users in health and social care settings, or in their own homes
- Physical: assault, misuse of medication, restraints or inappropriate sanctions
- Sexual: e.g. sexual contact with children, rape, or any sexual acts which a vulnerable adult has not or could not consent to, or has been pressured into consenting to;
- Psychological: e.g. emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, verbal or racial abuse, isolation, withdrawal of services or supportive networks

¹ This term is used to include staff that carries out duties on behalf of the university to support and assess students on placement who are not directly employed by the organisation in which students are placed.

- Breach of equal opportunities law and policies in relation to gender, 'race', ethnicity, and disability;
- Theft or fraud – including exploitation or pressure in connection with wills or property or other financial transactions, or the misappropriation of property or benefits;
- Neglect and acts of omission, including ignoring medical or physical care needs, failure to provide appropriate access to health, social care or education services, or the withholding of necessities of life such as medication, food and heating, privacy and dignity.
- Concerns regarding a member of staff's professional conduct or failure to comply with the policies of the placement.

2.2 Definition of organisational risks

This relates to indirect influence on patient/service user safety resulting from organisational issues which could have (potential) or did lead to (actual) harm.

This could include the following: -

- Systems of care which infringe upon service user's personal and human rights, such as privacy and dignity;
- Inadequate facilities (e.g. A&E units without ready access to urgent imaging and laboratory services) or equipment failure that could present a risk to the student, staff member or service users.
- Departmental rules preventing ready access to required services by staff.
- Protocols which impede timely care (e.g. patient transfer to wards before care delivered/internal referral systems allowing for patients to get 'lost in the system').
- Protocols/facilities which regularly lead care within inadequately / unsuitably staffed areas.
- Rotas which do not provide enough staff for the work to be done.
- Students routinely expected to perform tasks for which they are untrained
- A pattern of poor care by other, non-medical, professional workers or temporary staff.

3.0 How to escalate concerns

- 3.1 Be clear about what the problem is, how often it occurs and in what circumstances. This information should be recorded and made available to the appropriate person(s) when required. Recording a factual account of what happened as soon as possible will help gain clarity of what the issues are.
- 3.2 Whenever possible the placement policies should be followed.
- 3.3 Where possible, identify someone else within the team or unit who has witnessed the incident/practice and shares the same concern.
- 3.4 Gather any concrete evidence whilst recognising the constraints of confidentiality.
- 3.5 In the first instance discuss the matter with the person responsible for your day to day supervision in the workplace or relevant manager, e.g.
 - Social Work students should discuss the matter with a manager within the agency or the placement, or the person who placed them (this could be the University Practice Learning Co-ordinator or a LA Practice Learning Co-ordinator). Social work students should additionally have access to a designated Senior Manager or Independent complaints officer.

- Nursing and Midwifery students should discuss their concerns with the Practice Placement Manager, or a member of the Practice Team/Link Tutor. Midwifery Students may additionally raise their concerns with a Supervisor of Midwives.
- 3.6 Students should always inform their placement tutor², who will be an independent person with whom concerns can be discussed. The placement tutor will also provide advice and support regarding any subsequent action. They may also have a key role to play in protecting students from adverse consequences.

4.0 Implications of taking action:

- 4.1 It is recommended that concerns are raised openly. It is generally very difficult to deal with a problem/concern if the individual reporting the matter remains anonymous. A statement detailing concerns will be required in order for it to be investigated. In extreme cases where the situation is severe enough anonymity for the student cannot be guaranteed. The programme provider will endeavour to ensure that students who raise concerns are supported.
- 4.2 In extreme cases it may be necessary to remove the student from placement, which may inevitably result in delays in completing the placement. In such circumstances the student will be treated sympathetically and all possible steps will be taken to minimise any disruption caused.
- 4.3 Students should be aware that misuse of this procedure to raise malicious concerns will result in disciplinary action.
- 4.4 Placements terminated as a result of initiation of the escalating concerns policy will be treated differently, to those brought to an end under the Termination and Suspension of Placement Procedure. By making this distinction the programme managers convey their commitment to supporting and protecting students who exercise their moral and professional obligations by taking action to expose severe bad practice.
- 4.5 The University has a duty to report concerns to external organisations as required, for e.g. Health Education West Midlands, Nursing and Midwifery Council, Safeguarding Boards, Care Quality Commission.

5.0 Implications of the Escalating Concerns Procedure for Off-Site Practice and Practice Educators (This section only applies to Social Work)

The escalating concerns procedure and guidance also applies to Off-Site Practice Educators (OSPE) employed by the University. Responsibilities of Practice Educators (PE) are further described in the PE standards.

The OSPE should in the first instance inform the Senior Agency representative named in the Placement Learning Agreement responsible for dealing with concerns of this nature. The Practice Learning Co-ordinator must also be informed.

The OSPE will be asked to provide a written report outlining the nature of their concerns. In addition they will be required to indicate whether there are risks to the student in placement and whether the placement should continue.

² This term is used interchangeably to mean the tutor assigned to practice for Social Work, a member of the practice team or an academic lead/ link tutor for nursing and midwifery and allied health professionals.

Where the OSPE recommends that the placement should be terminated due to the risks it presents to the student a special PAP meeting will be convened to determine the next course of action. All parties should recognise that due to the complex and often protracted nature of escalating concerns investigations delays are unavoidable. In some cases where the nature of concern is considered sufficiently severe, criminal proceedings or public inquiries may result. In such circumstances the programme team will endeavour to limit any disadvantages to the student or OSPE. However it needs to be acknowledged that decisions about the future use of placements may need to be deferred until other lines of inquiry have been concluded.

Factors impacting on the quality of Social Work placements will be referred to the Social Work Practice Quality Group.

6.0 Exemptions under the Escalating Concerns Procedure:

The Escalating Concerns Procedure and Guidance relates specifically to concerns about 'severe bad practice' and organisation risks that compromise safety in health and/or social care in placements. Where students wish to make representations to the University of more general nature the following procedures should be used: -

- Placement Evaluation Procedure
- University of Wolverhampton's Appeals Procedure
- University of Wolverhampton's Formal Complaints Procedure

This procedure should be read in conjunction with the guidance that is available from the appropriate Professional Body.