



Nicky Ackerley BA(Hons)

Nicky is the owner of HR Support Consultancy. She has a BA(Hons) in Business Studies, is a member of the Chartered Institute of Personnel and Development and has been a practising HR manager for more than 20 years. HR Support Consultancy has provided the BVNA Members Advisory Service (formerly known as the Industrial Relations Service) since it began in 2002.

What is whistleblowing? (and what is victimisation?)

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Whistleblowing is reporting some wrongdoing. You can be a worker and 'blow the whistle' about something that is in the public interest (i.e. it affects other people). If something is affecting you personally at work, this is not usually covered by whistleblowing law. Whistleblowing is 'making a disclosure in the public interest'. This will usually be something you've seen at work – although not always.

You can blow the whistle on something that has already happened, something that is happening now or something that you believe will happen in the future. Some examples of what might be reported in this way are:

- Criminal acts
- If someone's health and safety is in danger
- Risk or damage to the environment
- A miscarriage of justice
- A company breaking the law
- Someone who is covering up wrongdoing

By whistleblowing you may be able to protect other people as well as speaking out about an illegal activity.

What if I am wrong?

To be protected under this law you need to have a 'reasonable belief' in what you are reporting is true, but you are not expected to undertake a full investigation yourself.

You need to report your concerns to the right person, this might be internally (your employer), or externally (your regulatory body) (RCVS has a confidential reporting line). Some large companies engage the services of an external company to report concerns to. The RCVS can deal with serious concerns about:

- Very poor professional performance where there are serious departures from the standards set out in the *RCVS Code of Professional Conduct*
- Fraud or dishonesty
- A criminal conviction or caution
- Physical or mental health problems affecting ability to work

If you feel there may be malpractice where you work, you should, in the first instance, contact the RCVS Professional Conduct Department (reporting@rcvs.org.uk). They will provide advice on the procedures to be followed. The RCVS is required to

investigate any complaint against a member which may give rise to an allegation of professional misconduct.

The government has a list of 'prescribed persons' to whom you should contact about your concerns, if they are not related to your veterinary practice: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

What protection can I expect to receive if I blow the whistle?

You are protected from losing your job or being victimised if you satisfy some conditions. You must:

- make the disclosure in the public interest
- reasonably believe that the information is substantially true
- reasonably believe you are making the disclosure to the right 'prescribed person'

The term *victimisation* is used to describe unfair treatment of a worker by an employer because of some action the worker has taken. The unfair treatment could be demotion, being denied training or promotion or being dismissed.

You do not need two years' service for protection against unfair dismissal for whistleblowing. But if a tribunal were to consider that a disclosure was made in bad faith, they have the power to reduce any compensation by up to 25%. The tribunal can also send details of the whistleblowing claims directly to the prescribed regulator where the claim has been accepted by the tribunal.

Protection encourages people to report wrongdoings, but the act of whistleblowing is rarely straightforward and brings its own dilemmas and can cause a conflict of interest.

If the whistle blower is sure that their motivations are sound, even if they are not sure of all the details, they should report any genuine concerns.

For further support with this or any other HR issue, BVNA members can call the BVNA Advisory Service Helpline on 01822 870270 or email nickyackerley@hrsupportconsultancy.co.uk