

Appendix A – Terminology used in this report

Advisory and complementary staff: In this report, we refer to advisory and complementary staff as CQC colleagues who are not fully contracted employees, but who work with us on terms of engagement. We also have Experts by Experience who we work with through a third party contract.

Closed culture: We define a [closed culture](#) as 'a poor culture that can lead to harm, including human rights breaches such as abuse'. In these services, people are more likely to be at risk of deliberate or unintentional harm.

High risk concern: In this report we use the term high risk to refer to all concerns from workers currently categorised as priority 1 and priority 2 whistleblowing, which is where the concerns involve a significant risk of harm. Our National Customer Service Centre triage all incoming concerns from workers into priority levels. This is based on the level of risk present within the information shared. Priority 1 information is the highest risk level through to priority 4, which is a low risk level. Priority 1 and 2 information contain safeguarding information. Priority 3 (medium risk) information indicates a concern that could include a breach of fundamental standards, or a significant concern.

Protected disclosure: The Public Interest Disclosure Act 1998 (PIDA) amended the Employment Rights Act 1996 to include protection for individuals who make protected disclosures. A 'protected disclosure' means a qualifying disclosure.

A 'qualified disclosure' applies when the worker reasonably believes that disclosing the information **is in the public interest** and the information tends to show that one or more of the following has occurred, is occurring or is likely to occur:

- a criminal offence
- a breach of a legal obligation
- a miscarriage of justice
- danger to the health or safety of any individual
- damage to the environment; or
- deliberately covering up a wrongdoing in the above categories.

Speaking up: A person 'speaking up' is the term we use when a worker passes on information about a concern. The issue reported will typically (although not necessarily) be something they have witnessed at work. This includes Whistleblowers

Whistleblower: The term 'whistleblower' is used to describe people who make a 'qualifying disclosure' about a concern at work. Where a worker suffers a detriment or is dismissed as a result, then they may have certain employment protections under the Employment Rights Act 1996 (as amended by the [Public Interest Disclosure Act 1998](#), often referred to as 'PIDA'). CQC is a 'prescribed body' organisation where a 'qualifying disclosure' can be reported to. Only workers are defined as whistleblowers in accordance with the legislation. If members of the public raise health and safety issues they are classified as raising concerns.

Worker: The term 'worker' is used to define a person who is directly employed by, or provides services for, a provider who is registered with CQC. The [Employment Rights Act 1996](#) defines a worker as "an individual who has entered into or works under (or, where the employment has ceased, worked under):

- a contract of employment; or

- any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual."

There is also an extended definition of worker that can be viewed at [section 43K of the Public Interest Disclosure Act 1998](#).

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