

NHS Highland



Meeting: NHS Highland Board
Meeting date: 28 November 2023
Title: Whistleblowing Action Plan
Responsible Executive: Gareth Adkins, Director of People & Culture
Report Author: Gareth Adkins, Director of People & Culture

1 Purpose

This is presented to the Forum for:

- Assurance

This report relates to a:

- Government policy/directive

This report will align to the following NHSScotland quality ambition(s):

Safe, Effective and Person Centred

This report relates to the following Strategic Outcome(s)

Start Well	Thrive Well		Stay Well		Anchor Well	
Grow Well	Listen Well	X	Nurture Well	X	Plan Well	
Care Well	Live Well		Respond Well		Treat Well	
Journey Well	Age Well		End Well		Value Well	
Perform well	Progress well					

2 Report summary

2.1 Situation

The Executive Director's Group completed a 'pause and reflect' session on 24th August 2023 to review our progress to date with implementation of the Whistleblowing Standards across NHS Highland 2021. The board subsequently undertook a similar session on 29th August 2023.

On 4th September EDG subsequently discussed the outputs of both sessions and recommendations to further strengthen our approach to supporting staff to raise concerns and where appropriate use the Whistleblowing Standards.

It was agreed an action plan was required and would be submitted to EDG and the board. This paper sets out the action plan including timescales and owners

2.2 Background

The National Whistleblowing Standards were implemented in April 2021. In parallel to publishing our second annual whistleblowing report EDG and the board undertook 'pause and reflect' sessions to:

- Review progress to date with implementation of the whistleblowing standards
- Identify what has worked well
- Agree areas for improvement and strengthening

This included opportunities for:

- our non-executive whistleblowing champion to share their experiences to date, their reflections and suggestions for further improvement
- the board to review the contents and recommendations within the second annual whistleblowing report

2.3 Assessment

The key recommendations agreed through the pause and reflect sessions and subsequent discussions are outlined in the table below:

- Whistleblowing executive lead to remain allocated to the Director of People and Culture who will have responsibility and oversight of the standards, procedures and reporting
- Medical Director and Nurse Director to be included in an additional executive oversight group who will:
 - o triage whistleblowing cases
 - o decide on redirection to business as usual processes such as clinical governance policies and processes or HR policies and processes including allocation of an investigating officer where appropriate
 - o allocation of appropriate executive lead to support cases agreed as proceeding to whistleblowing stage 1 or stage 2
 - o allocation of investigating officer to support stage 1 or stage 2 cases
- Establishing an agreed triage procedure

- Refinement of our administration and support processes. This will provide coordination and oversight of all stages of the process and ensure a consistency with our responses and record keeping
- Ensure a robust process is in place for tracking and monitoring actions. This would provide assurance on recommendations and actions being progressed and completed
- Establish a bank of investigating officers with appropriate training to support whistleblowing standards and other complimentary investigatory processes, e.g. HR processes, complaints.
- Review of routes for concerns to be raised and the role of confidential contacts
- Refresh of communications plan for speaking up including:
 - o Promoting the various routes for raising concerns including business as usual routes, whistleblowing and confidential contacts service
 - o Promoting training to support managers in handling concerns including training available on the standards, early resolution and courageous conversations

It was acknowledged throughout discussions that the whistleblowing standards are just one element of our overall approach to encouraging speaking up across our organisation. The action plan in appendix 1 is named our speaking up action plan to reflect that wider concept.

2.4 Proposed level of Assurance

This report proposes the following level of assurance:

Substantial		Moderate	X
Limited		None	

Comment on the level of assurance

It is proposed this report provides moderate assurance due to the improvements that remain to be progressed.

3 Impact Analysis

3.1 Quality/ Patient Care

The action plan will improve quality and performance our speaking up processes.

3.2 Workforce

This speaking up plan supports our strategic intent to support our staff to raise concerns and create a psychologically safe culture

3.3 Financial

Potential financial implications in relation to confidential contacts service and future delivery options

3.4 Risk Assessment/Management

The risks that have been identified are regarding timescales and compliance with the National Standards, this action plan will mitigate risks of non compliance

3.5 Data Protection

This report does not include personally identifiable information

3.6 Equality and Diversity, including health inequalities

None identified

3.7 Other impacts

None

3.8 Communication, involvement, engagement and consultation

This action plan will be presented to EDG, Area Partnership Forum and the Board.

3.9 Route to the Meeting

From board discussions

4 Recommendation

The Board is asked to:

- **Assurance** – Moderate assurance that we have an action plan that will strengthen our approach to whistleblowing standards and speaking up based on reviewing lessons learned and progress to date through our annual whistleblowing report

4.1 List of appendices

The following appendices are included with this report:

- Appendix 1 – Speaking Up Action Plan

Appendix 1 – Speaking Up Action Plan

Action	Executive Owner	Lead	Timescale
Transition whistleblowing executive lead to Director of People and Culture from interim allocation to Director of Finance including updating contact details	Director of People and Culture	Board secretary	End of September 2023
Establish executive operational oversight group including medical and nurse director and develop triage process	Director of People and Culture	Board secretary	End of October 2023
Review and refresh executive strategic oversight group to extend membership to include medical, nurse director, director of people and culture, chief executive, non-executive whistleblowing champion, employee director and board secretary	Director of People and Culture	Board secretary	End of October 2023
Secure resource to support administration of whistleblowing standards, the executive leads and investigating officers	Director of People and Culture	Board secretary	End of October 2023
Review and improve administrative processes for whistleblowing investigations including record keeping and action tracking for individual cases	Director of People and Culture	Board secretary	End of November 2023
Review and improve administrative processes for reporting on overall whistleblowing procedure compliance and performance	Director of People and Culture	Board secretary	End of November 2023
Review and improve administrative processes for tracking wider organisational actions arising from whistleblowing cases including development of regular reporting to appropriate governance groups and committees	Director of People and Culture	Board secretary	End of November 2023
Develop training plan and proposal for a bank of investigating officers with appropriate training to support whistleblowing standards and other complimentary investigatory processes, e.g. HR processes, complaints.	Director of People and Culture	Deputy director of people	End of November 2023
Review of routes for concerns to be raised	Director of People and Culture	Deputy director of people	End of November 2023
Review of confidential contacts service and options for future delivery	Director of People and Culture	Deputy director of people	End of January 2023
Refresh of communications plan for speaking up	Director of People and Culture	Deputy director of people and Director of communications and engagement	End of December 2023