



Meeting: NHS Highland Board

Meeting date: 28 November 2023

Title: Q2 Whistleblowing Report

Responsible Executive: Gareth Adkins, Director of People & Culture

Report Author: Gareth Adkins, Director of People & Culture

1 Purpose

This is presented to the Board for:

- Assurance

This report relates to a:

- Legal Requirement

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 Whistleblowing Standards report for Quarter 2 covers the period July - October 2023. This is provided to give assurance to the Board of our performance against the Whistleblowing Standards which have been in place since April 2021.

During the months July, Heledd Cooper, Director of Finance, provided Executive leadership and Executive Leadership has now been transferred to Gareth Adkins, Director of People and Culture.

2.2 Background

All NHS Scotland organisations including Health and Social Care Partnerships are required to follow the National Whistleblowing Principles and Standards which came into effect from 1 April 2021. Any organisation providing an NHS service should have procedures in place that enable their staff, students, volunteers, and others delivering health services, to access the National Whistleblowing Standards.

As part of the requirements, reports are required to be presented to the Board and relevant Committees and IJBs, on an annual basis, in addition to quarterly reports. The Staff Governance Committee plays a critical role in ensuring the Whistleblowing Standards are adhered to in respect of any service delivered on behalf of NHS Highland. Both quarterly and annual reports are presented at the meetings and robust challenge and interrogation of the content takes place to ensure assurance can be provided to the Board.

The Guardian Service provide our Whistleblowing Standards confidential contacts service. The Guardian Service will ensure:

- that the right person within the organisation is made aware of the concern
- that a decision is made by the dedicated officers of NHS Highland and recorded about the status and how it is handled
- that the concern is progressed, escalating if it is not being addressed appropriately
- that the person raising the concern is:
 - kept informed as to how the investigation is progressing
 - advised of any extension to timescales
 - advised of outcome/decision made
 - advised of any further route of appeal to the Independent National Whistleblowing Office (INWO)
- that the information recorded will form part of the quarterly and annual board reporting requirements for NHS Highland.

Staff can also raise concerns directly with:

- their line manager
- The whistleblowing champion
- The executive whistleblowing lead

Information is also included in the NHS Highland Induction, with training modules still available on Turas. The promotion and ongoing development of our whistleblowing,

listening and speak up services is a core element of the Together We Care Strategy and Annual Delivery Plan.

2.3 Assessment

Work continues through the Guardian Service and our Whistleblowing Non Executive Director to promote the standards and discuss with staff on their visits to locations within the organisation. This included a series of events during 'Speak Up' week in October which the guardian service and our executive team supported including walk rounds and drop in sessions at different sites across NHS Highland
In the Q2 Whistleblowing reporting period 1 July to 31st October 2023:

- 2 monitored referrals were received from INWO
- 1 Query was received from INWO regarding a complaint
- 1 Case was raised and resolved under stage 1 of whistleblowing standards
- 1 case was closed
- 1 case remains open and under investigation

The monitored referrals were two linked cases where the individuals chose to contact INWO as they were not satisfied that their issues had been resolved through a previous Whistleblowing Case investigated through National Education for Scotland.

The whistleblowing standards were raised through a grievance raised in October 2022 and specifically referenced issues that dated back a number of years. The executive lead reviewed these cases and decided to time bar them based on the 6 month time period for reporting issues unless there are exceptional circumstances. In addition a significant amount of work had been undertaken to address issues following the NES investigation.

However, the individuals were offered the opportunity to submit a new account of concerns under the standards if they felt that there were issues they were still encountering now or had happened in the last 6 months. There has been no further contact from either individual since the referrals were not accepted.

The query from INWO was in relation to a complaint made by a member of staff in relation to a concern they raised through the guardian service in July 2022. This was dealt with through business as usual routes and a facilitated discussion with the line manager.

It is not clear why but the individual is now claiming they wished it to be raised under the whistleblowing standards at the time, however we do not have evidence that they did specifically state they wished to use the standards route. In contrast the records the Guardian Service hold indicate the individual was satisfied with the response they received from management at time and noted they had seen improvements

INWO agreed with the executive lead agreed that no further action was required by the board.

We continue to focus on improving our processes as summarised in the whistleblowing action plan.

2.4 Proposed level of Assurance

This report proposes the following level of assurance:

Substantial	<input type="checkbox"/>	Moderate	<input checked="" type="checkbox"/>
Limited	<input type="checkbox"/>	None	<input type="checkbox"/>

Comment on the level of assurance

This report proposes moderate assurance is taken. It is recognised that further work is needed to improve our processes and particularly in relation to timescales for completing investigations.

3 Impact Analysis

3.1 Quality/ Patient Care

The Whistleblowing Standards are designed to support timely and appropriate reporting of concerns in relation to Quality and Patient Care and ensure we take action to address and resolve these.

3.2 Workforce

Our workforce has additional protection in place under these standards.

3.3 Financial

The Whistleblowing Standards also offer another route for addressing allegations of a financial nature

3.4 Risk Assessment/Management

The risks of the implementation have been assessed and included. Consideration is being given to where this would sit on our operational and board level risks.

3.5 Data Protection

None.

3.6 Equality and Diversity, including health inequalities

None

3.7 Other impacts

None.

3.8 Communication, involvement, engagement and consultation

Duties to involve and engage external stakeholders are carried out where appropriate

3.9 Route to the Meeting

N/A

4 Recommendation

The Board is asked to accept Moderate Assurance – and note the report provides confidence of compliance with legislation, policy and Board objectives noting further work to improve processes.

4.1 List of appendices

The following appendices are included with this report:

- None