

THE STATE HOSPITALS BOARD FOR SCOTLAND

WHISTLEBLOWING ANNUAL REPORT

1 April 2022 – 31 March 2023

1. INTRODUCTION

The SPSO (Scottish Public Services Ombudsman) developed a model procedure for handling whistleblowing concerns raised by staff and others delivering NHS services and this was formally published on 1 April 2021. The Independent National Whistleblowing Office (INWO) provides a mechanism for external review of how a Health Board, primary care or independent provider has handled a whistleblowing case. For NHS Scotland staff, these form a 'Once for Scotland' approach to Whistleblowing.

The SPSO worked with NHS National Education Scotland (NES) on the development of training materials, and these are now available to all staff through the TURAS Learn Website. There are two training modules: one for raising general staff awareness of whistleblowing, and a more detailed programme for managers or others who may receive concerns. This provides additional support and guidance on best practice, should a concern be raised through the policy.

In addition to this, the Scottish Government revised and promoted the role of the Whistleblowing Champion as a formal Non-Executive member of each NHS Board. Their role is to ensure that the systems are in place to enable staff to raise concerns, and that the culture of the organisation supports the full application of these systems, by valuing staff concerns. Unfortunately, this post remained vacant until December 2022 when our new Non-Executive for Whistleblowing was confirmed by the Cabinet Secretary. It should be noted however during this time, it was agreed by the Board that staff would be able to raise concerns with any of the Non-Executive Directors

The State Hospital supports and encourages an environment where employees, both current and former, contractors, trainees and students, volunteers, non-executive directors and anyone working within the Board can raise concerns.

The aim of this Annual Report is to be transparent about how Whistleblowing concerns are handled, highlight actions taken and any improvements.

This is the second Annual Report and is for the reporting activity from 1 April 2022 until 31 March 2023.

The Executive Lead remains the Director of Workforce. However discussions will take place with the new Non-Executive Whistleblowing Champion and be reviewed in line with the Standards recommendations.

2. BACKGROUND

Whistleblowing is an important process to enable an individual to speak up about any Whistleblowing concerns they may have in the organisation with respect to quality and safety in patient care and service delivery. The way we respond to Whistleblowing concerns raised is important, so that individuals feel that their concerns will be valued and handled appropriately and that the organisation will take on board what they have to say.

In line with the organisation's values, The State Hospital encourages Whistleblowing concerns to be dealt with at the earliest opportunity and where possible in real time within the management structures that our staff work in within the organisation. Alternate routes for raising Whistleblowing concerns include with the Whistleblowing Champion Non-Executive Director, Senior Managers, trade unions and other staff.

As part of the process to implement the new National Whistleblowing Standards, following concerns raised during 2021/22, an Action Plan was developed by the HR & Wellbeing Group and continues to report to Partnership Forum, Corporate Management Team, Staff Governance Committee and the Board. This Group will continue to co-ordinate and support implementation of the Action Plan, ensuring HR policy and process implementation, training and communications are fully met. Delivery of this Action Plan is fully supported by the all members of the Board who play a role in ensuring communication and development of the action in line with the Standard.

The quarterly and annual reports are scrutinised by the Staff Governance Committee and Board, including performance against the relevant Action Plan.

The current Whistleblowing Champion is the Director of Workforce. The Whistleblowing Champion has been proactive in engaging with the organisation and raising awareness of the Standards and in providing critical oversight of governance mechanisms for reporting on and dealing with Whistleblowing concerns, to complement the oversight provided by the Board.

3. **CONCERNS RAISED**

Since 1 April 2022 to 31 March 2023 there was no Whistleblowing concerns raised direct to the Board.

No cases have been raised by any other contractors or anyone linked to the Standard during this time.

However, there was one anonymous complaint received by the INWO during Quarter 3, which they have reported to us. They have confirmed that this is for our noting and no further action will be taken by them or any expectation on actions from the Board.

4. **ACTIONS**

Since the implementation of the standards, The State Hospital have continued to consider how best to provide continuous improvement in processes and support to any individual raising concerns.

An Action Plan was developed in line with the outcome of Whistleblowing Concerns raised during 2021/22 and reported in the previous report. Key themes which were raised from the previous investigations included:

- Review of Recruitment Processes;
- Work on building key relationships to ensure openness and transparency;
- Further communications on the Whistleblowing Standards and Training;
- Development of more Confidential Contacts;
- Recruitment to the Non-Executive Whistleblowing Lead;

- Development of an internal Operating Procedure providing clarity on the process followed when dealing with any concerns;
- Additional support sources, not only for those who are raising the concerns but for anyone who may become involved (i.e. witnesses)
- Development of a Communication Plan aimed at raising awareness of the Standards;
- Development of a Culture where complaints and concerns are encouraged and welcomed.

These learning points form part of the Action Plan, which is considered at the HR & Wellbeing Group and updated to the Staff Governance Committee and Board.

The State Hospital participated in the “Speak up Week” which took place on 3-7 October 2022. Staff Bulletins were circulated to the service with updates from a number of contributors including the Chair, Chief Executive and Employee Director. Noticeboards provided information to staff on the Standard and the main one was placed in the front reception area. This also provided staff with specially branded pens, notepads and post-it notes, highlighting that “Speaking up is in everyone’s interest”. A Wordsearch competition was also undertaken and the winner of a Fitbit watch was a Catering Assistant. Information relating this to initiative was also highlighted on social media and general feedback to this initiative has been positive.

The INWO attended a Board Development Session in September 2022 with Executive and Non-Executive members. They provided a presentation on the Standards and expectations of the Board along with an opportunity for questions. This was extremely helpful for those present to understand their role in the Standard.

Work continues on highlighting the requirement for Staff and Managers to complete the on-line module on the Whistleblowing Standards and update to date is:

Introduction for all Staff – 356 (83% of target group)
Managers Training – 68 (68% of target group)

6. **FUTURE ACTIONS**

Work continues on this standard and ensuring continued areas of improvement, which include:

- Developments of the Confidential Contacts, which includes discussions with other National Boards to support this agenda, ensuring complete confidentiality at all stages.
- Clarity and continued development of the role of the Investigating Manager. This includes development of a Standard Operating Procedure. This Operating Procedure would provide clarity regarding how a Whistleblowing complaint will be dealt with from initial receipt until the closure of a case, the sharing of lessons learned and service improvements made as a result of a concern being raised. The internal Operating Procedure should also outline a process for distinguishing between a Whistleblowing complaint and other HR concerns such as Bullying & Harassment and Grievances and should address issues such as anonymity, confidentiality and ongoing feedback and communication whilst a case is being investigated

- Communications on the new Non-Executive Whistleblowing Champion, with information on the future of the Standards and support for staff.
- Further development of a Culture where complaints are encouraged and welcomed by Management

7. REPORTING

Reporting of any concerns raised through Whistleblowing is reported through Partnership, HR & Wellbeing, Corporate Management Team, Staff Governance and the Board. Ongoing work will continue to improve communication with a dedicated plan to ensure that information is regularly sent to all Staff regarding their access to this Policy and Standard.

All Whistleblowing Complaints are recorded locally via the DATIX system and then updated as and when the case is investigated and concluded.

All the relevant Committees received quarterly updates on any concerns raised which was finally discussed at Board on the following dates:

Annual Report 2021/22 Approval	-	23 June 2022
Quarter 1 Update	-	25 August 2022
Quarter 2 Update	-	22 December 2022
Quarter 3 Update	-	23 February 2023
Quarter 4 and Annual Report Approval	-	27 April 2023

8. QUALITY AND PATIENT CARE

Whistleblowing remains an important Policy and process for staff, students and volunteers to enable them to speak up about any concerns they may have in the organisation with respect to quality and safety in patient care. The information in this report has no direct impact on patient care, except in those circumstances when the whistleblowing process is used to highlight patient safety concerns or other quality matters in the organisation. Any recommendations or actions that come out of future whistleblowing cases will help to improve quality of The State Hospital services and patient care.

7. CONCLUSION

Although there was no formal cases raised via Whistleblowing, Actions continue on previous issues raised and work will continue on improving the work on the Standard. This will thereafter encourage staff to raise their concerns in a safe and secure environment.

Brian Moore
Chair
On behalf of the State Hospitals Board for Scotland