

NHS 24 BOARD MEETING		22 JUNE 2023 ITEM NO 10.4 FOR APPROVAL	
ANNUAL REPORT WHISTLEBLOWING 2022/23			
Executive Sponsor:		Maria Docherty, Executive Director of Nursing & Care	
Lead Officer/Authors:		Andrew Moore, Deputy Director of Nursing & Care; and Marnie Westwood, Head of HR Business Services	
Action Required		The Board is asked to approve the annual whistleblowing report for 2022/23.	
Key Points for this Committee to consider		<p>The National Whistleblowing Standards and Once for Scotland whistleblowing policy (the Standards) were introduced on 1 April 2021.</p> <p>It is a requirement of the Standards to report whistleblowing performance to the NHS Board on a quarterly and an annual basis.</p> <p>The Annual Report details activities and developments relating to the Whistleblowing from 1 April 2022 - 31 March 2023.</p>	
Governance process		The report was presented to the Clinical Governance Committee on 1 June 2023.	
Strategic alignment and link to overarching NHS Scotland priorities and strategies		<ul style="list-style-type: none"> • The appointment of the SPSO as INWO and their associated powers is made under the Public Services Reform (the Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020 • Whistleblowing Champions are appointed by Scottish Government and the implementation of the National Whistleblowing Standards is a legal requirement • Staff Governance Standards • NHS 24 Strategy • Key Scottish Government Ministerial Priorities • NHS 24 Realistic Medicine Framework • NHS 24 Strategic and Corporate Risk Register 	
Key Risks		Failure to implement the Standards would impact on the Corporate Risk Register – reputational damage.	
Financial Implications		At this stage no financial implications have been identified.	

Equality and Diversity	The organisation should consider in reporting whether any analysis by protected characteristics is required.
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1. RECOMMENDATION

1.1. The Board is asked to approve the annual whistleblowing report for 2022/23.

2. TIMING

2.1. It is a requirement of the Standards to report whistleblowing performance to the NHS Board on a quarterly and an annual basis.

3. BACKGROUND

3.1. NHS 24 continues to be committed to dealing responsibly, openly and professionally with any genuine concern about wrongdoing, malpractice or safety risks within the work place. Whistleblowers can have an important role in highlighting any unjust or unethical behaviour potentially resulting in positive change. Affording whistleblowing protection whilst progressing due diligence in relation to the whistleblowing concern is an important balance to maintain

4. ENGAGEMENT

4.1. The Executive lead for Whistleblowing has planned update meetings in place with the Non-Executive Whistleblowing Champion.

4.2. A national training programme has been developed and is held within TURAS. All members of staff are required to either complete the staff module or the relevant Manager’s module.

4.3. Ongoing training and support for confidential contacts is planned for the coming year. This includes a new round of recruitment to reflect the expansion of NHS 24 services.

5. FINANCIAL IMPLICATIONS

5.1 No financial implications.



Annual Whistleblowing Report 1st April 2022 – 31st March 2023

Version: 1.0
Author: A Moore
Owner: Executive Director of Nursing and Care
Approval: NHS 24 Board

1. Introduction

The National Whistleblowing Standards came into force in NHS Scotland on the 1st of April 2021.

The principles have been approved by the Scottish Parliament and underpin how NHS Scotland services must approach any concerns which are raised. Every organisation providing a service on behalf of the NHS must follow the standards.

2. Legislation

The Scottish Public Services Ombudsman Act 2002 was amended to allow the investigation of healthcare whistleblowing matters.

3. Standards

The National Whistleblowing Standards set out how the Independent National Whistleblowing Officer (INWO) expects all NHS Scotland service providers to handle concerns that are raised with them, and which meet the definition of a 'whistleblowing concern'.

These Standards are underpinned by a suite of supporting documents, which provide instructions on how the INWO expects concerns to be handled. Together these documents form a framework for the delivery of the National Whistleblowing Standards.

4. Governance, Decisions and Oversight

The Standards set out the requirement that the NHS 24 Board and Clinical Governance Committee plays a critical role in ensuring the Whistleblowing Standards are adhered to, including ensuring quarterly reporting is presented and robust challenge and interrogation of this takes place.

The Executive Director of Nursing and Care is the executive lead for Whistleblowing. The Deputy Director of Nursing and Care is the key contact point for oversight/coordination of all possible and ongoing Whistleblowing cases within NHS 24.

The criteria for what constitutes a whistleblowing concern is set out in the National Whistleblowing Standards [Definitions: What is whistleblowing? | INWO \(spsos.org.uk\)](https://www.spsos.org.uk/whistleblowing/whistleblowing-definitions). If the complaint is not Whistleblowing, a response is drafted with clear reasons why it is not Whistleblowing and sent to the complainant by the Director of Nursing and Care. If there is another process or route for their concern, this is signposted. If the concern is Whistleblowing, then the Director/Deputy Director of Nursing and Care liaises with relevant senior leadership and contacts to identify a manager to lead on the concern. The Deputy Director of Nursing and Care will oversee progress, ensure timelines and communications are maintained. The Director of Nursing and Care will review the outcome and any follow up actions and learnings needed to ensure these are progressed appropriately, with relevant

internal and external individuals, bodies, and committees, as appropriate based on the nature of the concern.

A summary of every closed case in the period will be included in future quarterly reports, including any outcome and action taken or planned.

5. Roles and Responsibilities for National Whistleblowing Standards

We have set out the various roles and responsibilities, as a reminder, within NHS 24 in respect of the Whistleblowing Standards. Everyone in the organisation has a responsibility under the Standards, however, there are some specific roles which are particularly important.

NHS 24 Board / Clinical Governance Committee

The Board/ Clinical Governance Committee plays a critical role in ensuring the standards are adhered to.

Leadership – Setting the tone to encourage speaking up and ensuring concerns are addressed appropriately

Monitoring – through ensuring quarterly reporting is presented and robust challenge and interrogation of this.

Overseeing access – ensuring HSCP, third party and independent contractors who provide services can raise concerns, as well as students and volunteers.

Support – providing support to the Whistleblowing champion and to those who raise concerns.

Board Non-Executive Whistleblowing Champion

This role is taken on by **Liz Mallinson**, who has been in place since February 2020. The role monitors and supports the effective delivery of the organisation's whistleblowing policy and is predominantly an assurance role which helps NHS boards comply with their responsibilities in relation to whistleblowing. The whistleblowing champion is also expected to raise any issues of concern with the board as appropriate, either in relation to the implementation of the Standards, patterns in reporting of concerns or in relation to specific cases. The Whistleblowing Champion meets regularly with Executive and Operational Leads to discuss strategic and operational aspects of adherence to the standards and opportunities for improvement.

INWO Liaison Officer

This role is taken on by **Maria Docherty**, in her executive lead role for Whistleblowing. This is the main point of contact between the INWO and the organisation, particularly in relation to any concerns that are raised with the INWO. They have overall responsibility for providing the INWO with whistleblowing concern information in an orderly, structured way within requested timescales. They may also provide comments on factual accuracy on behalf of the organisation in response to INWO investigation reports. They are also expected to confirm and provide evidence that INWO recommendations have been implemented.

HR Lead

This role is taken on by **Marnie Westwood, Head of Resourcing and Planning** and is responsible for the local policy development/review, as well as the support for

individuals who have raised a concern. They are also responsible for ensuring that anything raised within HR procedures which could amount to a whistleblowing concern is appropriately signposted to this procedure for full consideration, ensuring that all staff are made aware of the Standards and how to access them, including the channels available to them for raising concerns. They must also ensure that managers have the training they need to identify concerns that might be appropriate for the Standards and to manage them appropriately.

However, it is important to note that Whistleblowing is not a process overseen by the HR team and as set out above, it is separate to our main people processes, reflecting the different scope and nature of Whistleblowing concerns.

Confidential Contacts

This “confidential contact” role, which is set out in the Standards, is carried out by staff volunteers across NHS 24. All organisations that deliver services for NHS Scotland must ensure that they provide staff with at least one point of contact who is independent of normal management structures and who has the capacity and capability to be an initial point of contact for staff who want to raise concerns. They support staff by providing a safe space to discuss the concern and assist the staff member in raising their concern with an appropriate manager.

Chief Executive / Executive Directors / Senior Management

Overall responsibility and accountability for the management of whistleblowing concerns lies with the organisation’s chief executive, executive directors, and appropriate senior management.

Managers

Any manager in the organisation may receive a whistleblowing concern. Therefore, all managers must be aware of the whistleblowing procedure and how to handle and record concerns that are raised with them, with their colleagues and with any third party or independent contractors who deliver services on our behalf. All managers are asked to undertake the training module available on Turas Learn.

Union representatives

Union representatives play a key role in supporting members to raise concerns and providing insight into the effectiveness of our systems and processes.

All colleagues

Anyone who delivers an NHS service should feel able and empowered to raise concerns about harm or wrongdoing. They should be trained so they are aware of the channels available to them for raising concerns, and what access to the Standards means.

Managers and Supervisors of Students and Trainees

Those who supervise students and trainees who are working in our organisation, but aren’t usually employed by us, have a specific responsibility to ensure that they are aware of the Standards and how they can raise a concern.

Volunteer Coordinator

The Standards also apply to Volunteers, who are working in our services. It is important that they are made aware of the Standards and how to raise a concern and access support.

6. Implementation and Progress against development priorities for 2022-23

NHS 24 established an organisational implementation group in July 2020 to ensure that the National Whistleblowing Standards could be implemented in a planned and structured way within NHS 24 and in consultation with the different departments and colleague groups. Progress against development priorities for 2023-24:

Whistleblowing Champion Activity

Our Whistleblowing Champion/ Non-Executive Director, Liz Mallinson has supported the implementation through engagement of stakeholders and the support of colleague Board members throughout the year, including actively championing 'Speak Up' week in October of last year. The Whistleblowing Champion engages nationally with the National Whistleblowing Champions Network, which provides the opportunity to learn and share from the experiences of other NHS Boards.

Training Modules

During the reporting period, managers and colleagues have been encouraged to access the National Whistleblowing Standards training which is available via Turas Learn. It is essential that managers complete this training, as any manager could potentially receive a whistleblowing concern and be required to take the appropriate action to ensure it is recorded and progressed in accordance with the Standards.

Communications

The delivery of several activities has supported the raising of awareness of the whistleblowing standards and the development of an environment where employees can raise concerns about patient safety, malpractice and any other forms of harm that may impact negatively on staff and patients. The NHS 24 Intranet site has been revamped to make it more engaging for individual members of staff (including a video message from the Whistleblowing Champion) and provide clarity on how to raise a concern. Colleagues were also encouraged to visit the INWO website which has a huge amount of information and resources about the Whistleblowing Standards.

NHS 24 actively took part in 'Speak up' week, which took place between the 2nd – 7th October 2022. Activities included a video message and in-person visits from the whistleblowing champion. Sign-posting staff to the refreshed intranet page on whistleblowing and a range of staff from across the organisation made pledges stating why whistleblowing is important to them.

Whistleblowing Guidance

The NHS 24 Whistleblowing Guidance was refreshed during the reporting period

Confidential Contacts

During the reporting period induction training for confidential contacts was developed with a view to recruiting additional confidential contacts during Q1 of 2023-24.

7. Raising a Whistleblowing Concern in NHS 24

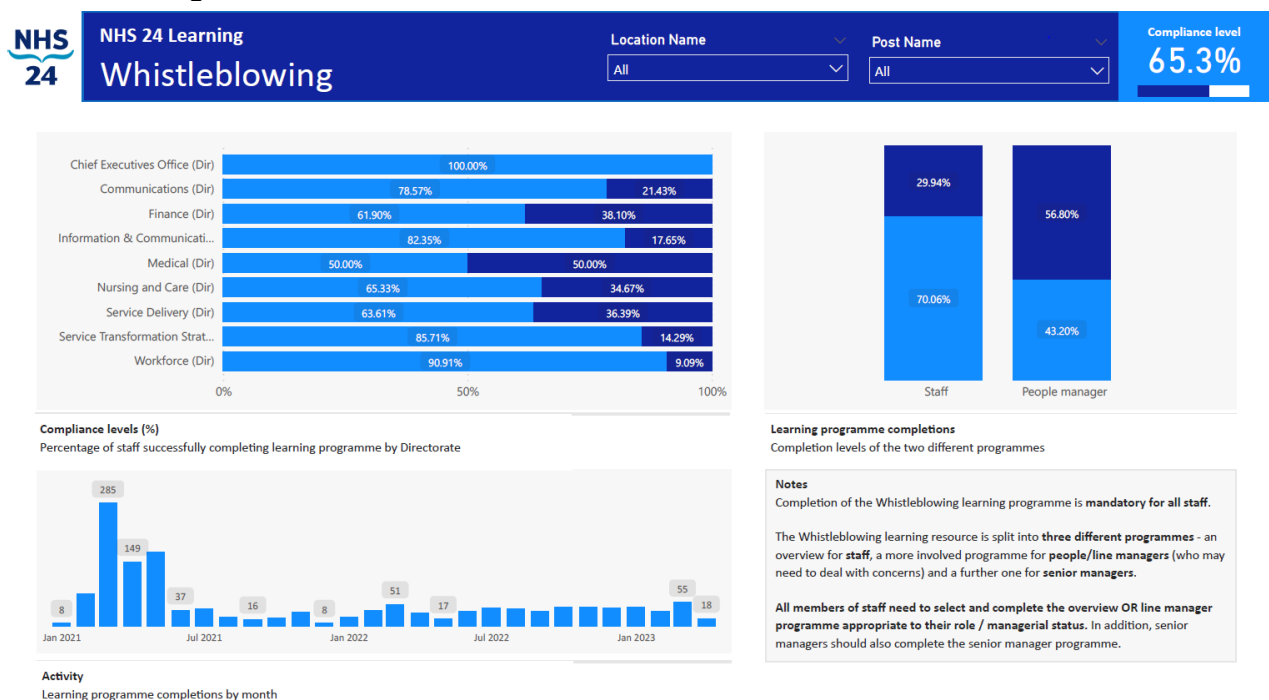
Managers and employees can raise a concern:

- through an existing procedure in NHS 24,
- by contacting their manager, a colleague, or a trade union representative
- by contacting a confidential contact or via the dedicated email address - whistleblowing@nhs24.scot.nhs.uk

8. Completion of the Whistleblowing Modules UPDATE FOR 2022-23

Overall compliance for the mandatory Whistleblowing TURAS modules is 65.3% (Last year 55.4 %). Going forward completion of these essential modules will form part of induction sign off for new staff. The compliance rate will also be reported using a cumulative in year total.

Please see Figure 1 Below.



9. Whistleblowing Activity during the reporting period 2022-23

Reporting Period	Concerns Received	Appropriate for Whistleblowing	Stage 1	Stage 2	Outcome	Comments
Q1	0	-	-	-	-	
Q2	0	-	-	-	-	
Q3	0	-	-	-	-	
Q4	1	0	-	-	-	

There have been 1 whistleblowing concerns raised during the reporting period (received quarter 4). This concern was not progressed as a whistleblowing concern as it did not meet the definition/standard. This concern was passed to the workforce team for due processing.

10. Comparison to pre-April 2021 Whistleblowing Cases

There were 0 whistleblowing concerns raised during the last reporting period (April 2021-March 2022)

11. Impact on other processes to raise concerns

No issues to report.

12. Colleague experience of the Whistleblowing procedures

A voluntary survey has been developed which will be used to evaluate the experience of individuals who raise concerns to identify areas for improvement.

13. Development Priorities for 2023-24

- Agree a Communications plan for 2023-24 to continue to raise awareness of whistleblowing (including the completion of TURAS modules). Completion in Quarter 1
- Recruit and retain additional confidential contacts (including planned programme of development) Completion in Quarter 2
- Support the activities of the Whistleblowing Champion to raise staff awareness.