

Meeting: Argyll & Bute Integrated Joint Board
Meeting date: 26 January 2022
Title: Quarterly Whistleblowing Standards Reporting
Responsible Executive/Non-Executive: Fiona Hogg, Director of People & Culture
Report Author: Fiona Hogg, Director of People & Culture

1 Purpose

This is presented to the Committee for:

- Discussion
- Assurance

This report relates to a:

- Legal requirement

This aligns to the following NHS Scotland quality ambition(s):

- Safe
- Effective
- Person Centred

This report relates to the following Corporate Objective(s)

Clinical and Care Excellence <ul style="list-style-type: none"> • Improving health • Keeping you safe • Innovating our care 	X	Partners in Care <ul style="list-style-type: none"> • Working in partnership • Listening and responding • Communicating well 	X X
A Great Place to Work <ul style="list-style-type: none"> • Growing talent • Leading by example • Being inclusive • Learning from experience • Improving wellbeing 	X X X	Safe and Sustainable <ul style="list-style-type: none"> • Protecting our environment • In control • Well run 	X X X

2 Report summaries

2.1 Situation

Attached is the second Quarterly Whistleblowing Standards report for NHS Highland, covering the period 1 July 2021 - 30 September 2021, for review and feedback from the IJB. This has been reviewed and updated following presentation to the Staff Governance Committee on 12 January 2022 and was also reviewed at NHS Highland Board on 25 January 2022.

2.2 Background

All NHS Scotland organisations are required to follow the National Whistleblowing Principles and Standards with 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 these requirements, a report is required to be presented to the Board on a quarterly basis, as per the extract below from the INWO website. It is also required to present this to the Argyll & Bute IJB on a quarterly basis, in respect of NHS Scotland services delivered by the HSCP on behalf of NHS Highland.

“Monitoring

The number of concerns raised by staff will be reported to a public meeting of the board on a quarterly basis. It is the board’s responsibility to ensure this reporting is on time and accurate. The analysis should highlight issues that may cut across services and those that can inform wider decision-making. Board members should show interest in what this information is saying about issues in service delivery as well as organisational culture. This may mean on occasions that board members challenge the information being presented or seek additional supporting evidence of outcomes and improvements. They should also explore the reasons behind lower than expected numbers of concerns being raised, based on trend analysis and benchmarking data.”

Therefore, NHS Highland will present their monitoring report to the NHS Highland Board and Argyll & Bute IJB on a quarterly basis, following review at the Staff Governance Committee.

2.3 Assessment

The Argyll & Bute IJB has a critical role in ensuring the Whistleblowing Standards are adhered to in respect of any service delivered on behalf of NHS Highland within Argyll & Bute, including through ensuring quarterly reporting is presented and robust challenge and interrogation of this takes place.

The Guardian Service, as our Whistleblowing Standards confidential contacts carry out the recording and reporting of concerns and possible concerns. Along with the INWO Liaison officer for the Board, Fiona Hogg, the HR Lead, Gaye Boyd and the Whistleblowing Non-Executive Director, Bert Donald, we have compiled the attached report.

It should be noted that as this is only the second period of reporting, and there are only 3 confirmed Whistleblowing Concerns received to date, 2 of which are still being investigated and have not concluded, so it is not possible to include all the detail that will be expected in future reports.

Report Development

We are particularly limited in our ability to report on trends or the outcomes of cases at this time, as a result of small numbers of cases, but this will be built into the report as these cases conclude and additional concerns are investigated.

Ongoing cases

Both active cases are being led by the Interim Chief Officer, Argyll & Bute and being supported and overseen by the Lead Executive, Fiona Hogg. It is important to note that both are complex and rather than a short investigation into a specific situation, are investigating long standing challenges with service design, delivery and management in remote and rural community settings. These have involved multiple stakeholders and significant and ongoing engagement and insights and are making good progress.

The approach that is being taken to these cases will ensure that appropriate learnings are taken by the organisation, which are being acted on as the investigations progresses. The nature of the concerns raised mean that involvement is possible right from the outset, rather than having to wait for the conclusion of the case. There is significant and high level visibility and involvement in the cases across all areas of relevant senior leadership. Once the case is concluded, organisational learnings will be shared across the organisation as well as through the relevant Whistleblowing Standards reports.

Concluded Cases

We had one case which was concluded in Q2. Whilst the complaint was not upheld, did lead to learning recommendations and communication and engagement actions, to ensure colleagues, management and staffside fully understand the systems and processes in place to manage and oversee health and safety and the relative roles and responsibilities within this.

Internal Audit of Implementation of the Standards

During this period, we completed an Internal Audit of the Whistleblowing Standards, to ensure that we understood progress to date and areas of focus for ongoing improvement, which this was reported to NHS Highland Audit Committee in December 2021. The report is attached as Appendix 2 and is a positive report with some agreed actions which we are taking to further improve our systems and processes. These are summarised in the report.

Role of the Whistleblowing Champion

Our NHS Highland Whistleblowing Champion, non-executive director Albert Donald, continues to work with us to promote awareness and understanding of the Whistleblowing Standards and to report back on insights gained from colleagues across the organisation, about their experience working for us. In early November 2021 he visited Oban, Mull, Dunoon and Fort William and in July covered Lochgilphead, Campbeltown, Rothesay and Helensburgh. Further visits across both Highland and Argyll & Bute HSCP areas are planned.

This has been highly valuable and colleagues across the organisation have engaged well with the visits, which has helped our understanding of our strengths and development areas, particularly in our more remote and rural areas.

Our Whistleblowing Standards Implementation Group, chaired by the Deputy Director of People and which our WB Champion is also a member of, continue to meet monthly with a range of internal and external stakeholders to whom the Standards apply. Focus is on increasing awareness of the Standards and promoting them through communication and engagement.

Future reporting timescales

The Q3 report covering the period from October to December will be presented to March 2022 NHS Highland Board and Argyll & Bute IJB. The cycle of reporting is expected to be as follows:

Quarter	Period covered	Staff Governance Committee	NHSH Board meeting	A&B IJB meeting
Q3 2021/2	1 October - 31 December 2021	9 March 2022	29 March 2022	30 March 2022
Q4 2021/2	1 January - 31 March 2022	4 May 2022	24 May 2022	25 May 2022 (date TBC)
Q1 2022/3	1 April - 30 June 2022	7 September 2022	27 September 2022	21 September 2022 (date TBC)
Q2 2022/3	1 July - 30 September 2022	9 November 2022	29 November 2022	23 November 2022 (date TBC)

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"/>

This report proposes moderate assurance is taken, progress with the refinement of our processes is making good progress and our audit report was largely positive. Our outstanding cases are substantial and complex but are being taken seriously and we are working with those involved. However, it is recognised that further work is ongoing in order implement the remaining audit actions and to ensure cases are progressed in a timely manner. This should be complete by end March 2022.

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

No data protection issues identified.

3.6 Equality and Diversity, including health inequalities

No specific impacts

3.7 Other impacts

None

3.8 Communication, involvement, engagement and consultation

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

3.8.1 Route to the Meeting

The report has been reviewed in draft form by Staff Governance Committee and further updates incorporated from their feedback, it has also been considered at the NHS Highland Board meeting on 25 January 2022 as well as at this IJB on 26 January 2022.

2.4 Recommendation

- **Discussion** – Examine the draft report and consider any additional information or revisions that may be appropriate
- **Assurance** – To give confidence of compliance with legislation, policy, and Board objectives

2.5 Appendices

- Appendix 1 – Whistleblowing Report (Quarter 2 - 1 July 2021 to 30 September 2021)
- Appendix 2 - Internal Audit Report - Whistleblowing Standards