

Trust Board meeting (Part 1)		Date:	27 May 2015
Agenda item	Title	Executive Director lead and presenter	Report author
BD/15/047	Annual Whistleblowing Report	Lee O'Bryan, Senior Independent Director	Hannah Dennis, Head of Corporate Governance
This report is for:			
Decision			
Discussion			
To Note		X	
History			
<i>None.</i>			
The following impacts have been identified and assessed within this report			
Equality	None identified, and no concerns raised with this theme.		
Quality	As above.		
Privacy	As above.		
Executive summary of key issues			
<p>This report provides assurance to the Board that there are sufficient and robust arrangements in place to ensure that Trust staff can raise any genuine concern they have about a risk, malpractice or wrongdoing at work (such as a risk to patient safety, fraud or breaches of patient confidentiality), which may affect patients, the public, other staff or the organisation itself, at the earliest reasonable opportunity, as required by the NHS Constitution. It includes a summary of whistleblowing concerns raised during the year to the Senior Independent Director.</p> <p>The Board should note the report.</p>			
This report addresses these strategic priorities:			
We will deliver the best care		X	
We will support and develop our staff		X	
We will continually improve what we do			
We will use our resources wisely		X	
We will be future focussed			

1 Process

The Trust has a Whistleblowing Policy and associated procedure for investigation of whistleblowing concerns. During 2014/15 this has been reviewed with support from the National Whistleblowing Hotline, provided by Mencap, and is currently subject to final revisions to incorporate the requirements of the Freedom to Speak Up Review published in February 2015.

1.1 Visibility

The Trust has a very visible and robust approach to managing its compliance with the Public Concern at Work regulations (Whistleblowing provisions). Via the Trust's intranet site, staff are advised about how to use the whistleblowing provisions, and encouraged to access support and advice.

Staff are advised that should they have concerns about what is happening at work, they have a range of routes to pursue, including talking to their manager in the first instance. Usually these concerns are easily resolved. However, when they have concerns about possible unlawful conduct, financial or professional malpractice or dangers to the public or the environment, the Trust recognises that it can be difficult to know what to do.

1.2 Senior Independent Director

The Trust has appointed Lee O'Bryan, as Senior Independent Director and Whistleblowing lead.

As Non-Executive lead for Whistleblowing, Lee O'Bryan has responsibility for commissioning investigations into whistleblowing concerns raised in accordance with the Trust's Whistleblowing Policy.

2 Freedom to Speak Up

2.1 Summary

The Freedom to Speak Up Review (the Review) was led by Sir Robert Francis, and was "set up in response to continuing disquiet about the way NHS organisations deal with concerns raised by staff, and the

treatment of some of those who have spoken up.

The aim of the Review was to provide advice and recommendations to ensure that NHS staff in England feel it is safe to raise concerns, confident that they will be listened to and the concerns will be acted upon."

Taken from *Freedom to Speak Up Review, Executive Summary, February 2015*

2.2 Recommendations

The Review made two fundamental recommendations, supported by a number of principles and actions to be implemented:

1. All organisations which provide NHS healthcare and regulators should implement the Principles and Actions set out in this report in line with the good practice described in this report.
2. The Secretary of State for Health should review at least annually the progress made in the implementation of these Principles and Actions and the performance of the NHS in handling concerns and the treatment of those who raise them, and report to Parliament.

2.3 Trust policy and procedure

The Trust's existing policy encouraged the fundamental requirements of an open and safe culture, with visible leadership, and reflective practice.

The Trust has reviewed its Whistleblowing Policy, in conjunction with staff representatives through the General Negotiating Group (GNG) and is working with the GNG currently to agree its policy in light of the first recommendation made by the Review which applies to our organisation. This included documenting our investigation procedure in a step by step methodology to make this transparent for staff and to make clear the accountabilities in this process.

3 Annual report

During 2014/15 there was 1 whistleblowing concerns raised via call to the Senior Independent Director. A plan for

investigation was prepared, however with subsequent discussion with the caller, who chose to remain anonymous, they decided that they did not wish any further action to be taken.

4 Conclusion

As the report advises, during 2014/15 we received only one whistleblowing concern via our Senior Independent Director.

We have begun work to further develop our policy and associated processes to respond to changes in the external environment and improved guidance in this area.

On completion and approval of the reviewed Trust Whistleblowing Policy there will be communication of this to all Trust staff to seek to heighten awareness of the processes in place for staff to raise concerns.