

# NHS Grampian Whistleblowing Report

## 2023 - 2024

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## Introduction

This is NHS Grampian's third annual Whistleblowing report, covering the period 1 April 2023 to 31 March 2024.

This paper reports on all whistleblowing concerns received during this period by NHS Grampian, as per the criteria set out in the [National Whistleblowing Standards](#).

The key aims of the Whistleblowing Standards (the Standards) is to encourage and simplify public interest concern raising, to ensure concern raisers are fully supported in a confidential way, and for organisations to make improvements and learn from concerns they may not otherwise hear about.

## Whistleblowing

Whistleblowing is defined in the Public Services Reform (the Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020 as:

*'when a person who delivers services or used to deliver services on behalf of a health service body, family health service provider or independent provider raises a concern that relates to speaking up, in the public interest, about an NHS service, where an act or omission has created, or may create, a risk of harm or wrong doing.'*

The criteria for a concern to be handled through the whistleblowing process are:

- ✓ That the concern relates to a public interest issue in regards to; patient care, patient safety/wellbeing, staff safety/wellbeing, fraud/misuse of public funds, and is **not** about the concern raiser's own employment situation.
- ✓ That the outcome the concern raiser is hoping for addresses or improves things for the public, patients or staff, and is **not** about improving things for them as an individual.

Concerns about a member of staff's own employment situation should be raised through the HR Hub. This can be done by email [gram.hr@nhs.scot](mailto:gram.hr@nhs.scot) or by phone 01224 552888.

If a member of staff would like confidential advice from HR this can also be requested through the HR Hub.

NHS Grampian also has 18 'Speak Up Ambassadors'. The contact details of these SUAs can be found at [Whistleblowing Confidential Contacts](#) and can provide confidential support and advice in regards to any type of concern, by any member of staff, student, trainee, agency, locum, volunteer, etc.

## Whistleblowing Annual Report Key Performance Indicators

There are 10 key performance indicators that all Scottish Boards are required to report on each year. Each of these will be taken in turn and will describe what improvements we are making to how we handled and share learning from whistleblowing.

## **Key Performance Indicator 1 - Learning, changes or improvements to services or procedures as a result of Whistleblowing Concerns**

### **Action taken as a result of the whistleblowing concerns closed this year:**

- Additional support has been put in place for staff in a team.
- Information gathering and risk analysis have been undertaken to inform next steps and decision making, and clarity on the escalation pathways in place.
- Improvements have been introduced for internal communications.
- Training has been developed to ensure staff are knowledgeable and confident in risk management, clinical governance and reporting arrangements.
- Three different service reviews have been instigated and are underway.
- A staffing and patient needs review has been instigated and underway.
- Two action plans have been created and are being implemented.
- Improvements have been made to internal communication and decision making in a department.
- Processes have been put in place for when roles are discontinued.
- Improvements to governance arrangements have been made.
- Two areas have performed a culture review by interviewing staff about how it feels to work as part of that team and improvements made as a result.
- A team are being supported to improve their communication and interpersonal skills.
- A building management plan has being created.
- Clearer processes for decision making and communication have been put in place.

## **Key Performance Indicator 2 - The experiences of all those involved in the whistleblowing procedure**

Whistleblowing concern raisers in general report feeling listened to and reassured that action needed will be taken and that the required scrutiny will be put in place to support this.

However due to the time it takes for whistleblowing concerns to be investigated, in particular some of the more complex cases (more serious or where many concerns are raised), whistleblowers can report this to be a quite unsettling and stressful time for them.

The move to using independent investigators for more complex cases (through ad hoc bank contracts), has allowed for more timely investigation and feedback, which improves the concern raisers experience.

The most significant change we have made this year is to introduce a 2 day per week Whistleblowing and Speak Up Manager role, along with introducing a Speak Up Ambassador (SUA) Programme in November 2023. 18 members of staff

undertook a 2 day external accredited training course to ensure they had the skills and confidence required to support and sign post colleagues who have concerns.

This was in recognition there was a need to increase capacity to respond to the growing number of concerns being received, and to be able to improve our responsiveness to concern raisers. It was also an opportunity to decrease our person dependency of only having one or two whistleblowing confidential contacts.

Profiles for all of our SUAs is available on the NHS Grampian [Whistleblowing](#) webpage, which highlights the range of staff groups, geographical locations and lived experience represented, including an SUA who is a Neurodiversity Champion and an SUA who is a Multicultural Champion. Concern raisers can contact the SUAs directly to seek support or the SUAs are allocated on a rota to concerns received through other routes.

### **Key Performance Indicator 3 - Levels of staff perceptions, awareness, and training Staff awareness**

In December 2023, we updated the NHS Grampian website to make Whistleblowing and Speak Up information more visible and accessible. This included creation of a designated SUA page featuring profile photos and contact information for each Ambassador.

We have established a number of forums to support the ongoing learning and development opportunities available to our SUAs. An MS Teams channel was created, managed by the Whistleblowing and Speak Up Manager, to have an avenue to communicate, encourage peer to peer networking, support and share copies of all relevant documentation relating to their role.

In addition, online SUA Learning Sessions are offered and recorded, and multiple bespoke learning resources have been created, including crib sheets of each stage of the concern reporting process and 'easy read' navigations of key HR policies including grievance, bullying and harassment.

The Teams channel is also used to highlight national sources of information (such as the INWO Bulletin) and the Scottish Speak Up Network.

### **Staff training**

We need to ensure all staff have the knowledge and skills to implement and access the Standards. The key messages we aim to communicate to all staff groups are:

- Where to go for advice
- How to raise concerns
- What support is available
- Why speaking up is important and how NHS Grampian benefits from this

We also need to ensure those with whistleblowing roles are appropriately trained which includes:

- Speak Up Ambassadors (confidential contacts)
- Handlers/coordinators
- Investigators
- Executive Directors involved in signing off investigations

The information below shows the numbers of modules undertaken by staff on Turas over the last 3 years.

Time period	Number of Modules undertaken by staff
2021/22 (1 April 2021 to 31 March 2022)	351 Modules
2022/23 (1 April 2022 to 31 March 2023)	53 Modules
2023/24 (1 April to 30 June 2023)	260 Modules
<b>Total Modules Undertaken Since 1 April 2021</b>	<b>664 Modules</b>

As well as promoting and encouraging the completion of Turas modules, staff involved in whistleblowing continue to attend staff and department meetings to promote the whistleblowing standards, speaking up and the SUAs.

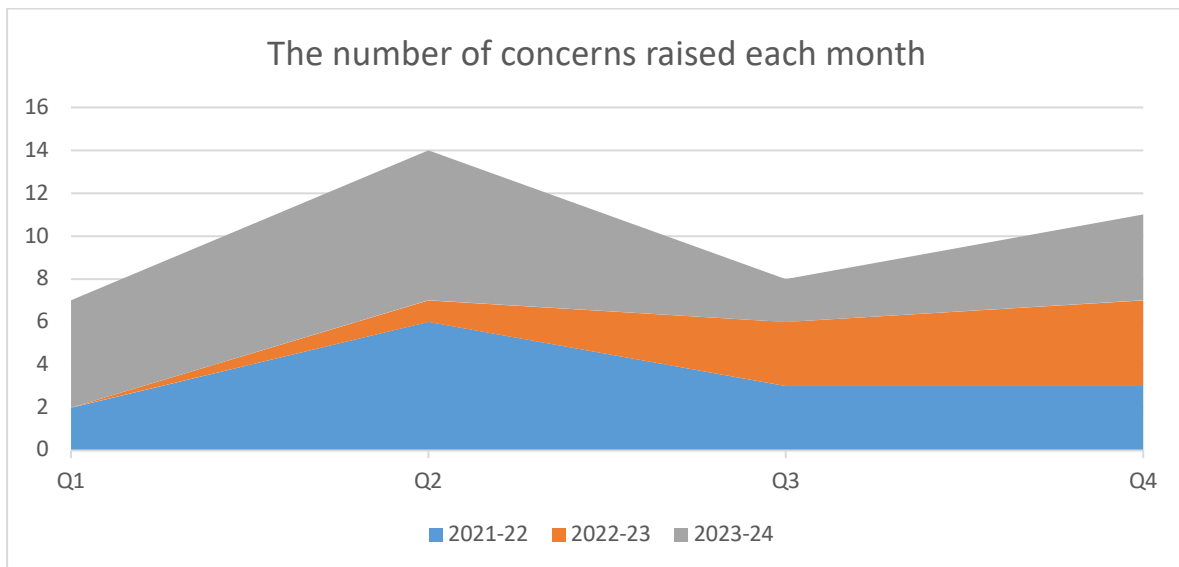
#### A summary of Key Performance Indicators 4 – 10 are shown below:

KPI	Category (link to Guidance)	Description	Total	Percentage
4	<a href="#">Received</a>	Total number of concerns received	18	
5	<a href="#">Closed</a>	Total number of concerns closed	18	
5	<a href="#">Stage 1</a>	Number of concerns closed at Stage 1	1	6%
5	<a href="#">Stage 2</a>	Number of concerns closed at Stage 2	17	94%
6	<a href="#">Stage 1 Outcomes</a>	Number of concerns upheld at Stage 1	1	100%
6	<a href="#">Stage 1 Outcomes</a>	Number of concerns partially upheld at Stage 1	0	
6	<a href="#">Stage 1 Outcomes</a>	Number of concerns not upheld at Stage 1	0	0%
6	<a href="#">Stage 2 Outcomes</a>	Number of concerns upheld at Stage 2	5	65%
6	<a href="#">Stage 2 Outcomes</a>	Number of concerns partially upheld at Stage 2	6	
6	<a href="#">Stage 2 Outcomes</a>	Number of concerns not upheld at Stage 2	6	35%
7	<a href="#">Stage 1 Avg Working Days</a>	Average working days for concerns at Stage 1	5	
7	<a href="#">Stage 2 Ave Working Days</a>	Average working days for concerns at Stage 2	79	
8	<a href="#">Stage 1 Timescales</a>	Number of concerns at Stage 1 closed within 5 working days	1	100%
8	<a href="#">Stage 2 Timescales</a>	Number of concerns at Stage 2 closed within 20 working days	3	18%
9	<a href="#">Stage 1 Extensions</a>	Number of concerns at Stage 1 with authorised extension	0	0%
10	<a href="#">Stage 2 Extensions</a>	Number of concerns at Stage 2 with authorised extension	14	82%

The information in the graph above shows the whistleblowing activity this year. In 2021/22 (year 1) we received 14 whistleblowing concerns and in 2022/23 (year 2) we received 8 whistleblowing concerns, making this year (year 3) the largest amount of concerns raised over a year.

We only handled one concern through early resolution, as we find 5 working days is very short timescale but we hope to achieve more early resolution next year now we have additional resource of 18 SUAs.

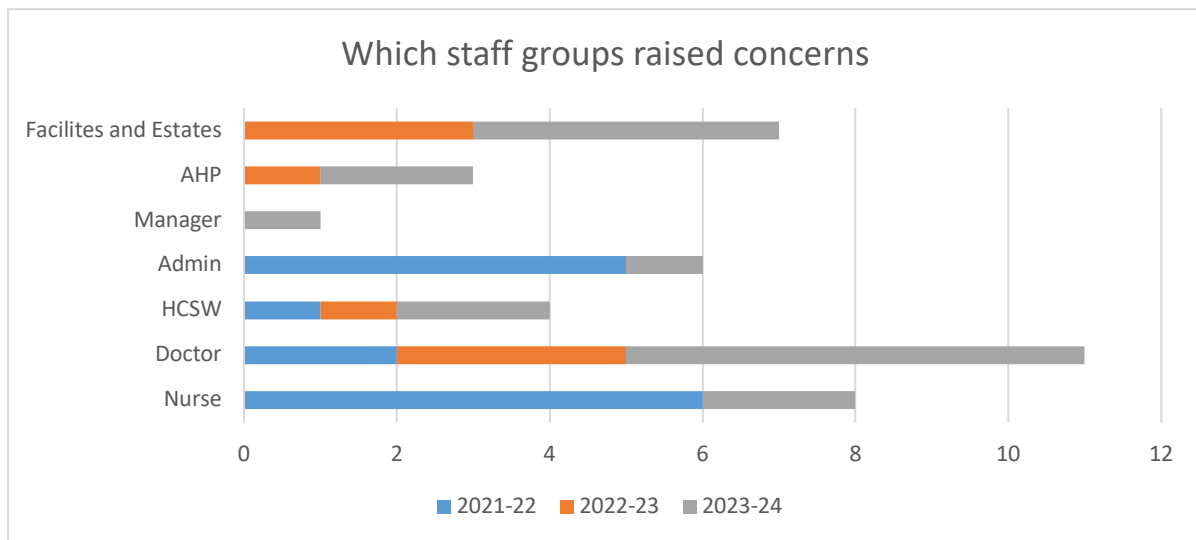
### Summary of whistleblowing activity from April 2021 to March 2024



In the first year concerns raised were spread quite evenly through the year. Whilst in year 2 the number of concerns raised as the year progressed. Year 3 shows a much higher number of concerns being raised with a significant peak in quarter 2 then quarter 4.

Peaks in whistleblowing workload places significant pressure on those involved in whistleblowing and leads to concerns taking longer to conclude.

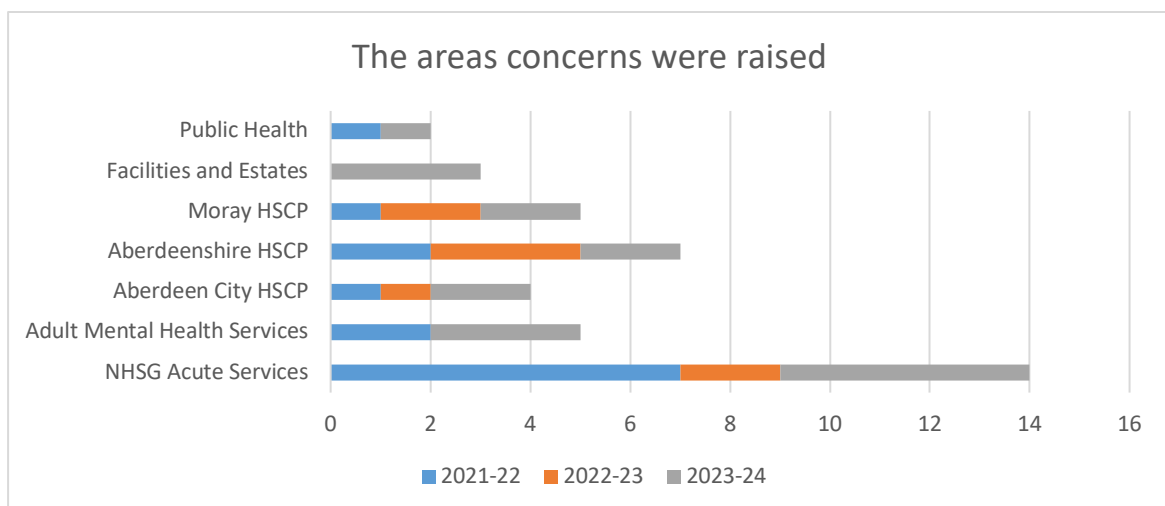
## The staff groups who have raised concerns



Nurses and Administrators were the top 2 staff groups reporting concerns in year 1. Doctors and Facilities and Estates staff (other) were the highest concern reporters in years 2 and 3, with AHPs also being higher reporters in year 3.

It is reassuring that there is a mix of staff groups as this demonstrates whistleblowing is known about across our workforce.

## The areas that concerns were raised about

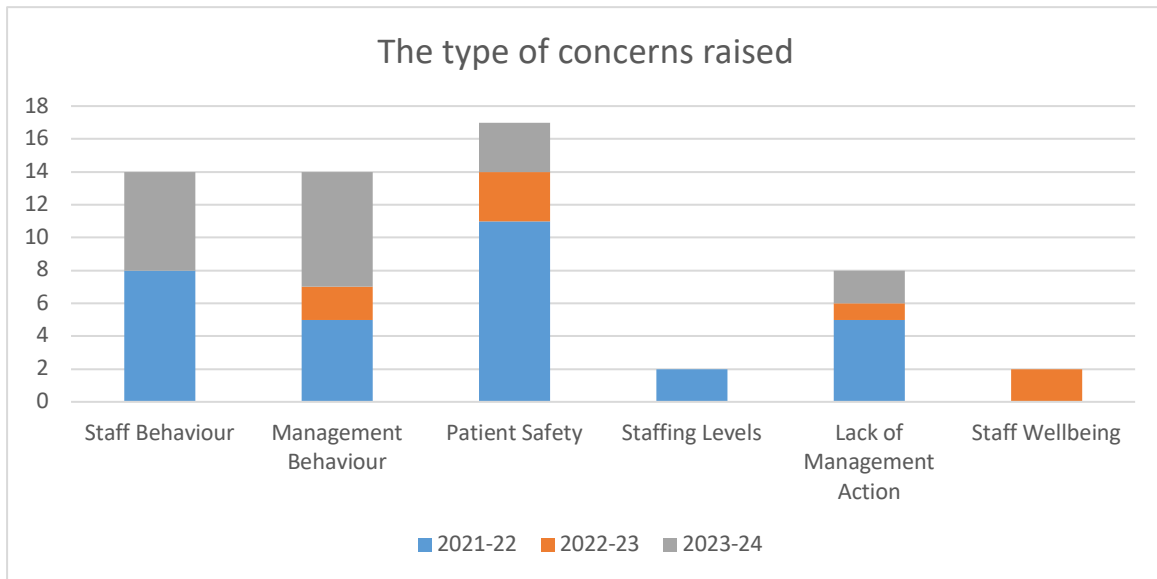


There has been quite an even split of whistleblowing concerns received across the above service providers with NHS Grampian receiving the highest number of these.

This could be due to whistleblowing being more promoted within NHS Grampian provided services. An example of this being that the majority of departmental visits our Whistleblowing Champion undertakes to promote the Standards, are in NHS Grampian departments and care settings.



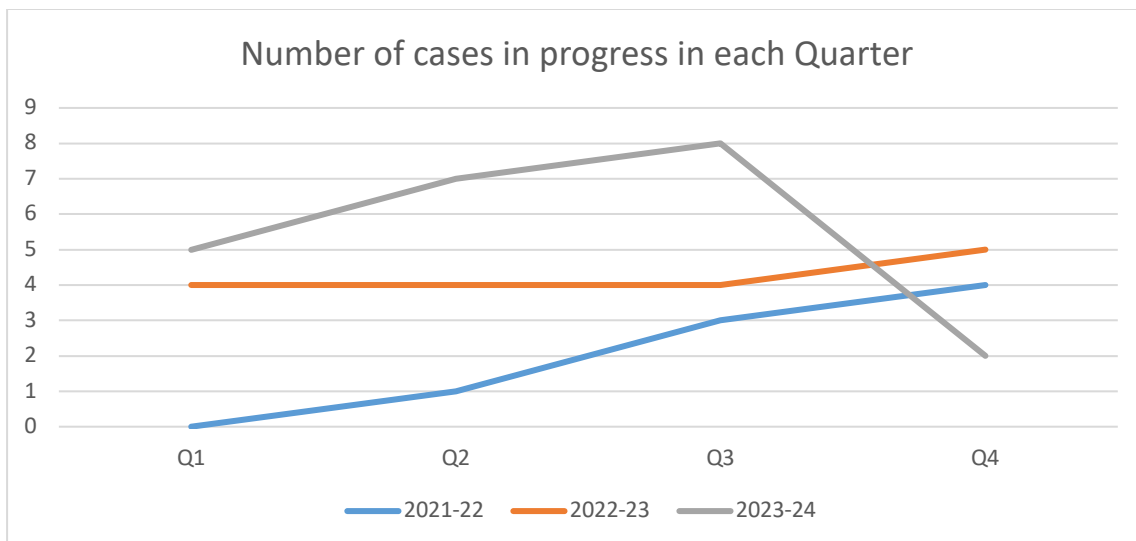
## The concern issues that were raised



These are the issues that concern raisers used the whistleblowing route to escalate. In year 1, the highest reported area of concern was patient safety followed by staff/colleagues behaviours.

In year 2, patient safety was also the highest issue, however in year 3, management behaviour is highest, followed by staff behaviour.

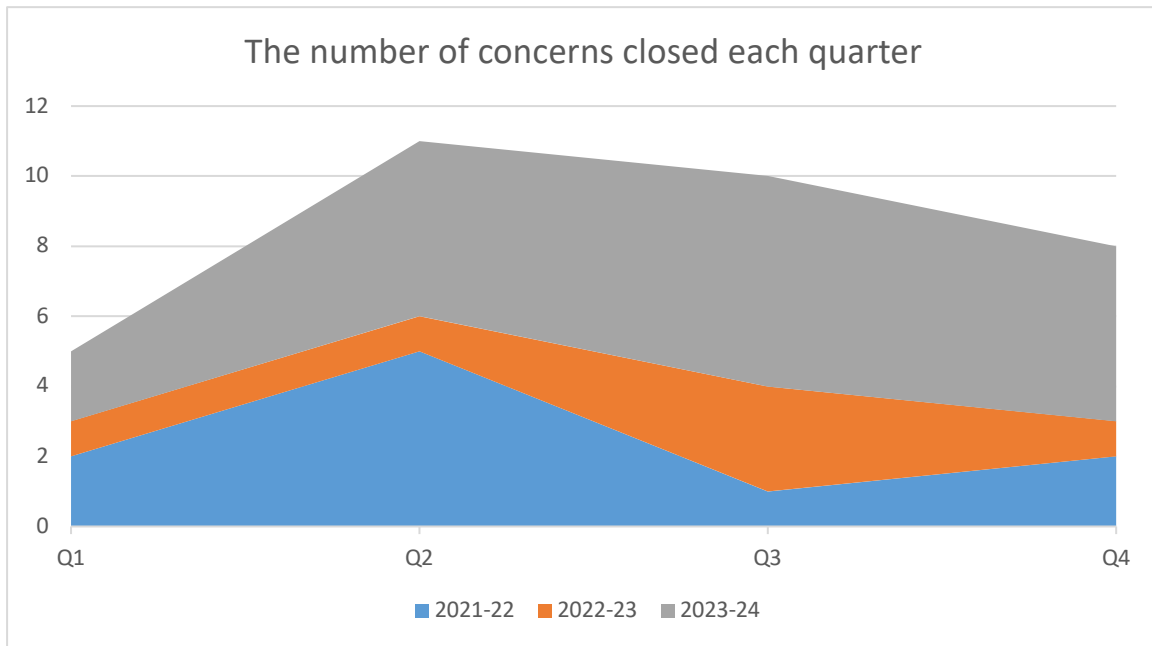
## The number of concerns being handled at one time



There was a gradual increase of up to 4 cases being in progress at one time in year 1. In year 2, it remained at around 4 cases in progress at one time, whilst year 3 peaked at 8 cases being open at one time.

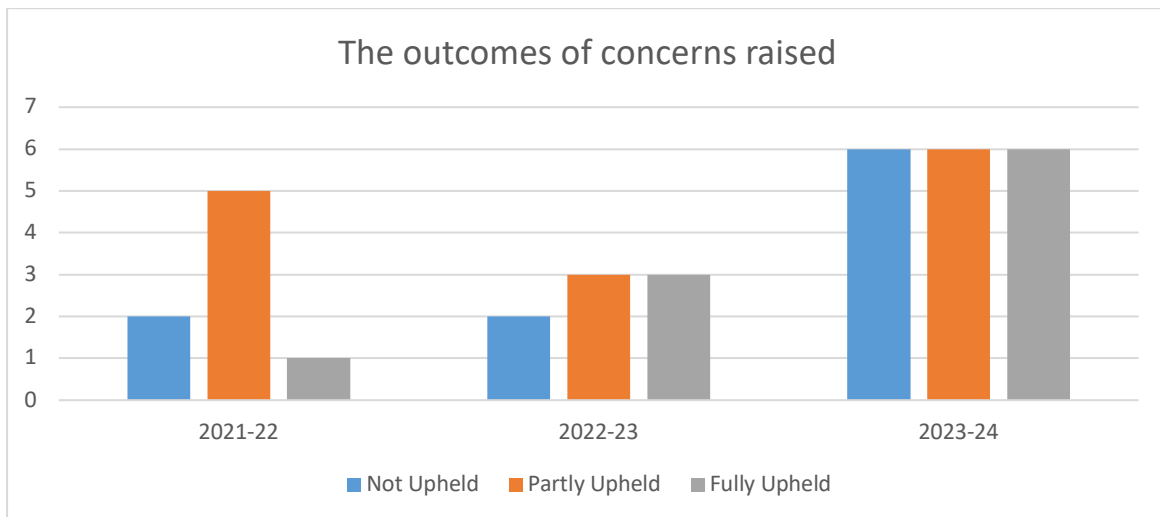
Having a higher number of concerns in progress at one time, as well as having a higher number of concerns being received places considerable pressure on the limited resource that manages whistleblowing concerns.

### Key Performance Indicator 5 - Concerns closed



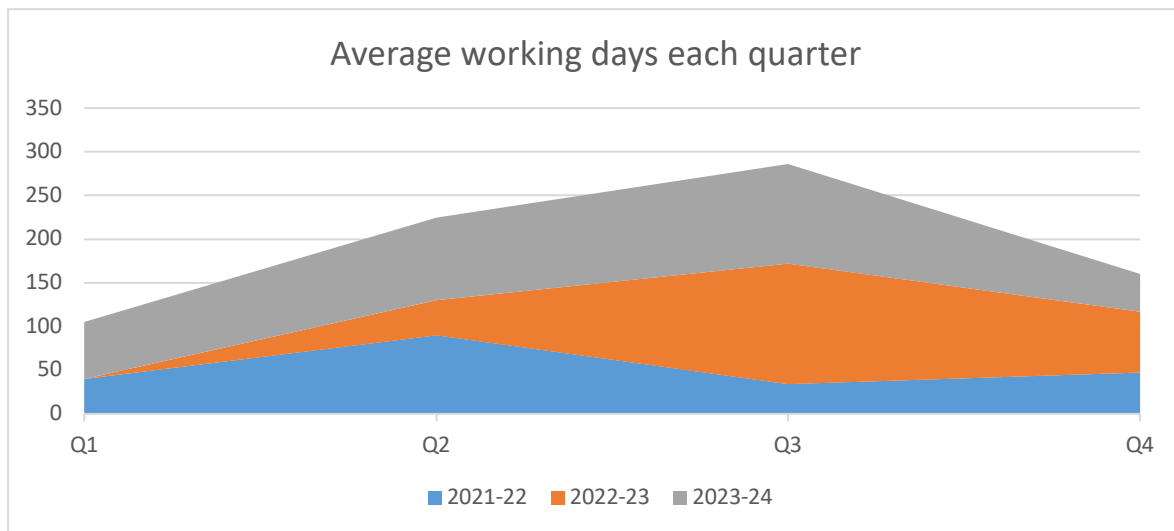
This demonstrates the number of concerns closed in each quarter, again the numbers being closed in each quarter were much higher this year, again adding to pressures on staff involved in whistleblowing.

### Key Performance Indicator 6 – Concern Outcomes



The outcome of whistleblowing concerns has shown to be quite consistent over the three years with a fairly even split other than year 1, where we had a higher number partly upheld and lower number upheld.

## Key Performance Indicator 7 - The average time in working days per quarter



We can see that our average time to conclude whistleblowing concerns is much higher than 20 working days. This is an area we are trying very hard to improve on and hope our SUAs will support us to reduce, as we know raising concerns is a difficult thing to do and prolonged cases can lead to anxiety and distress for those involved.

As already raised, having limited resource to manage whistleblowing and increased number of concerns being received and being open at one time has resulted in it taking longer to conclude concerns than we would like.

Also as we only have a small pool of dedicated independent investigators, which several investigations are happening at one time, this resource also gets stretched.

### Learning from handling whistleblowing concerns

NHS Grampian continues to encourage all staff groups, practitioners, students and volunteers to report any concerns and are always actively promoting a Speak-up culture through our Staff Equality Network, Grampian Ethnic Minority Staff Group, Staff Neurodiversity Empowerment Group, Anti-Racism, culture and wellbeing work.

However, whistleblowing in its nature is a person dependant process due to usually only one person in the organisation knowing the identity of the concern raiser, and minimal people being involved in the investigation process.

This can also impact on the efficiency of concern handling when staff are on annual leave, including the confidential contact, investigator or those being interviewed as part of the investigation.

The key things we have learned this year and are keen to improve on next year is becoming more efficient at handling whistleblowing concerns and to ensure all those involved in whistleblowing, including staff involved in whistleblowing investigations, are well supported, well informed and have a liaison point of contact if they need any more support or information.

This will hopefully be provided locally to them by line managers but if needed staff or managers can seek support and advice from our new Whistleblowing and Speak Up Manager.

### Explanation of governance arrangements

NHS Grampian produces quarterly and annual whistleblowing reports. These include all whistleblowing concerns that have been raised and handled under the Standards. The reporting arrangements for all quarterly whistleblowing reports is to the NHS Grampian Staff Governance Committee for discussion and approval. The Annual report goes to the Board for discussion and approval.

All boards have independently appointed Whistleblowing Champions. The role of the Whistleblowing Champion is to seek assurance that the NHS Board they are assigned to, are taking the steps required to be an organisation that encourages, truly values, and responds efficiently and effectively to whistleblowing concerns as laid out in the new Standards.

In addition to this, regular meetings take place with NHS Grampian's:

- Whistleblowing Champion
- Executive Lead for whistleblowing
- Whistleblowing Lead
- Whistleblowing and Speak-up Manager
- Staff Governance Manager

At this meeting updates are given on active and newly closed cases in a confidential and non-identifiable way, which allows for a discussion around process, whistleblowing experience, action being taken (and follow up if requested) and learning being achieved and shared as needed.

### The number of whistleblowing concerns that have progressed as a complaint to the Independent National Whistleblowing Officer (INWO)

INWO INVESTIGATIONS INTO NHSG	2021-22	2022-23	2023-24
INVESTIGATION COMMENCED	0	1	1 (still in progress)
DECISION REACHED	0	0	1
AREAS OF FAILINGS	0	0	2
THEMES OF FAILINGS	0	0	HANDLING OF THE CONCERN AND ROBUSTNESS OF INVESTIGATION

Last year we had our first case referred to the INWO as the concern raiser was not reassured following our handling of their whistleblowing concern.

The INWO decided on the case this year and found we had not handled the concern as well as we could and our investigation lacked robustness.

As a result changes were made in our process to improve our handling and the robustness of investigations, and we re-ran the investigation. A further case has been referred to the INWO this year and is currently in progress.

### Primary care and contracted services

For the purposes of producing this Annual Report, all Primary Care Organisations (PCOs) are asked to report any concerns handled under the Whistleblowing Standards to NHS Grampian.

The three Health and Social Care Partnerships (HSCPs) must also report any concerns handled by them under the standards to the Board, or must produce their own annual report. For the period 2023-2024:

- No concerns have been reported to NHS Grampian of being raised directly to any PCOs or the three HSCPs.
- 1 concern was raised directly to NHS Grampian by a member of staff from a PCO.
- 6 concerns were raised directly to NHS Grampian by members of staff from HSCP provided services.
- The learning and improvements made as a result of these concerns are included as part of all of the learning and improvements for NHS Grampian.
- The same support and advice is offered by the Speak Up Ambassadors for all staff (students, trainees, volunteers, etc.) providing health care services or working alongside those who do in Grampian.

### In Conclusion

Our third year of handling whistleblowing concerns has brought further learning and improvement opportunities for NHS Grampian. We will continue to promote the Standards and with the changes described in this report, hope that the experience of concern raisers will be improved and our handling will become more efficient.

We would like to acknowledge those who have come forward with concerns during 2023-24, and give thanks to everyone for contributions whether as a whistleblower, those who contributed to investigations and those involved in the process.

Louise Ballantyne, NHS Grampian Head of Engagement, October 2024