

Paper: PB.25.05.2017/10

NHS ENGLAND – BOARD PAPER

Title: Revised External Whistleblowing Policy
Lead Director: Professor Jane Cummings, Chief Nursing Officer
Purpose of Paper: <p>Following an internal audit of whistleblowing, published in November 2016, it was recommended that the External Whistleblowing Policy be revised before the suggested date of May 2018, and that a number of queries be addressed.</p> <p>The purpose of this paper is to seek the approval of the Board for the adoption of the Revised External Whistleblowing Policy.</p>
The Board is invited to: Approve the External Whistleblowing Policy for implementation within NHS England and publication on the NHS England website.

External Whistleblowing Policy

Purpose

1. Following an internal audit of whistleblowing, published in November 2016, it was recommended that the External Whistleblowing Policy be revised before the suggested date of May 2018, and that a number of queries be addressed.
2. The Board is invited to approve the revised policy for implementation within NHS England and publication on the NHS England website.

Background

3. NHS England published the External Whistleblowing Policy in September 2016. It provides guidance for NHS England colleagues across the country to deal with queries and concerns raised with them from primary care organisations, and helps signpost secondary and tertiary care to other, relevant organisations. It also helps to support workers who wish to raise concerns in primary care, by outlining where and with whom concerns may be raised, and the types of concerns which can be raised.
4. An Internal Audit report on Whistleblowing published in November 2016 highlighted some gaps in the Policy which it was felt should be addressed before the suggested review date of May 2018.

Progress to date

5. In revising the Policy, Regional Whistleblowing Leads have been consulted for their views, and have fed in to the review where possible. Steps have been taken to ensure as much consistency as possible with other similar policies, for example, NHS Improvement's Policy for secondary and tertiary care and the Care Quality Commission Policy (CQC). Where relevant, the NHS England Policy is compatible with these.
6. Where there may have been gaps in the previous Policy, for example with Offender Health, the National Offender Management Service has been consulted and referenced in the revised version.
7. The External Whistleblowing Policy and the Equality and Health Inequalities Screening are attached as appendices A and B.
8. The revised Policy has incorporated the issues raised by the Internal Auditors, and has also included feedback from Regional Whistleblowing Leads who are implementing the Policy on the ground.
9. This work supports Corporate Priority 10, Foundations for Improvement. It is also relevant to the NHS Constitution Values: 'Working Together for Patients'; 'Commitment to Quality of Care'; and 'Everyone Counts'

Implications

10. The revised External Whistleblowing Policy will result in improved clarity for those wishing to raise a concern, and for NHS England staff who deal with them:

Risks

11. There is a risk that if the Policy is not approved there will continue to be a lack of clarity about Whistleblowing in Primary Care, and in our Directly Commissioned Services.

Legal/Regulatory

12. Legal team have cleared the policy document
13. The Policy supports NHS England's role as a Prescribed Person for Freedom to Speak up in Primary Care, in accordance with the Public Interest Disclosure Act 1998, in outlining the process for people who wish to raise a concern, and the expectation of NHS England when a concern is raised. It also incorporates NHS England's duty to report the numbers of concerns raised each year through the annual report.

Resources Required

14. As this is a revised Policy, resources are already in place for its implementation and monitoring. The Director for Patient Experience has strategic responsibility for the Policy, and the Director of Governance and Assurance operational responsibility. Both have staff in their teams who oversee the work. In addition, Regional Whistleblowing Leads are in place and understand the roles and responsibilities required for effective implementation.

Recommendations

15. The Board is invited to approve the External Whistleblowing Policy for implementation within NHS England and publication on the NHS England website.

Author Kate Milton, Whistleblowing Implementation Lead
Date: 04/2016