

Freedom of Information request 614-18

Request

I would like to request the following information under the Freedom of Information (Scotland) Act 2002. Please could you provide me with:

1. A copy of the Board's most recent policy or guidance provided concerning whistleblowing and the date when this was implemented.
2. Details of how every member of staff has been informed of the policy or guidance stated above.
3. The date when staff were informed of the policy or guidance stated above
4. Details of whether all NHS staff contracts have been revised to include term and conditions regarding the protection of whistleblowers and when this occurred.

For 2014/15, 2015/16, 2016/17, 2017/18 and 2018/19:

5. The number of incidents of a) concern and b) whistleblowing received in each quarter.
6. Details of the categorization of the concerns/whistleblowing incidents raised in each quarter, and if possible, the grade of the staff raising the concern.
7. A copy of any minute taken from discussion of the concerns and details of actions taken following the raising of concerns.

Under the Freedom of Information (Scotland) Act 2002, I understand that I can specify the format the information takes. For question 5 could you therefore please provide the information using the tables below as an indicative format.

	2014/15				2015/16				2016/17				2017/18				2018/19		
	Q1	Q2	Q3	Q4	Q1	Q2	Q3												
Concern																			
Whistleblowing																			

Response

1. A copy of the Board's most recent policy on whistleblowing, June 2017 is attached:



Whistleblowing v2
1.pdf

2. New employment policies are devised by the partnership Human Resources (HR) Policy Group, prior to final approval there is a minimum consultation period of 4 weeks. Draft policies are available from the consultation and surveys section of the staff intranet and notified by an email staff share. New policies are notified by staff share email.
3. The Whistleblowing policy was updated to the HR microsite on 4 July 2017.

4. The following clause is embedded into contract of employment documentation, and this or similar clauses have been embedded into contract of employment documentation since 2011:

“20) Voicing Concern

If you have any concerns about

- Quality of service
- Health and safety
- Use of NHS money

or believe that a colleague’s conduct, performance or health may be a threat to patient care or to staff, you have a responsibility to raise these concerns directly with your Line Manager or Head of Department. If you feel that you cannot do this, you should take advice from the Human Resources Department or a representative from your trade union or professional organisation. You are protected against any harassment or victimisation if you raise such a concern under the Whistleblowing Arrangements policy.”

5. Please find below the number of incidents of a) concern and b) whistleblowing received in each quarter as requested:

	2014/15				2015/16				2016/17				2017/18				2018/19		
	Q1	Q2	Q3	Q4	Q1	Q2	Q3												
Concern	2	1	2	1	1	3	3	1	3	0	1	2	8	6	3	1	3	3	1
Whistleblowing	1	0	0	0	0	1	1	0	0	0	0	0	0	1	0	0	3	2	1

6&7 NHS Borders record the whistleblowing event and the action taken to address the concerns raised. Due to the confidential nature of the records we are withholding this data under Section 38(1)(a) and 38(1)(b) of the FOI(S)A 2002.

If you are not satisfied with the way your request has been handled or the decision given, you may ask NHS Borders to review its actions and the decision. If you would like to request a review please apply in writing to, Freedom of Information Review, NHS Borders, Room 2EC3, Education Centre, Borders General Hospital, Melrose, TD6 9BS or foi.enquiries@borders.scot.nhs.uk.

The request for a review should include your name and address for correspondence, the request for information to which the request relates and the issue which you wish to be reviewed. Please state the reference number **614-18** on this request. Your request should be made within 40 working days from receipt of this letter.

If following this review, you remain dissatisfied with the outcome, you may appeal to the Scottish Information Commissioner and request an investigation of your complaint. Your request to the Scottish Information Commissioner should be in writing (or other permanent form), stating your name and an address for correspondence. You should provide the details of the request and your reasons for dissatisfaction with both the original response by NHS Borders and your reasons for dissatisfaction with the outcome of the internal review. Your application for an investigation by the Scottish Information Commissioner must be made within six months of your receipt of the response with which you are dissatisfied. The address for the Office of the Scottish Information Commissioner is, Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife.