

INWO decision report



Case: 202300371, Lothian NHS Board

Subject: Complaint handling

Decision: Some upheld

Summary

C raised concerns with the Board about financial governance, corporate governance and the implementation of policies and procedures within Midlothian Health and Social Care Partnership.

C said that the findings in the report may not have been supported by the evidence available and sought reassurance about the scale of the investigation. C welcomed many of the changes that had taken place as a result of their concerns but complained that some of the issues were ongoing and that the actions taken to fulfil the recommendations had not been sufficient. C also complained about the way that the Board handled their concerns.

We considered the evidence supplied by C and the Board, including the investigation file, the recommendations action plan and supporting information. We also carried out interviews.

We found evidence of good practice in the Board's handling of the concerns, including record keeping. We found that the evidence generally supported the conclusions in the Board's investigation report. However, some recommendations were made without upholding aspects of the concern. When an investigation highlights areas for improvement, or finds evidence to support aspects of the concerns raised by the whistleblower, this should be recognised in the report through the finding (i.e. upheld or partially upheld). It is an effective way to demonstrate an openness to learning and improvement.

We found that most of the actions taken to follow up on the recommendations were reasonable but identified two specific areas, highlighted by C, where the actions did not appear to fulfil the intent of the recommendation.

On balance, we upheld C's complaint about the Board's investigation and response. We also upheld their complaint about the actions taken to fulfil the recommendations. We did not uphold C's complaint about the Board's handling of their concerns under the National Whistleblowing Standards.

Recommendations

What we said should change to put things right in future:

- The recommendations from the Board's whistleblowing report should be fully actioned.