

## INWO decision report



**Case:** 202209445, Tayside NHS Board

**Subject:** Management Practice / Complaints handling

### Summary

C raised concerns in relation to:

- The culture and management style within one of the Board's services and the impact this has had on the staffing levels and consequently patient care.
- What has happened in response to the clinicians raising their concerns in the past to HR at exit interviews, and how has information been acted on.

The Board undertook a stage 2 investigation under the National Whistleblowing Standards. In their investigation report, the Board substantially upheld C's concerns, and identified a series of recommendations to address them.

C received an outcome letter, which summarised the Board's position and detailed the recommendations. C, who had since moved to another NHS organisation, made further enquiries about progress, but encountered difficulties obtaining a response.

C brought a complaint to INWO. As the substantive issues raised by C were not in dispute, our investigation focused on whether the concerns had been appropriately investigated and whether the Board had (or was taking) appropriate action to address the issues identified.

INWO considered the information provided by the Board including their complaint investigation file. We made further enquiries of the Board and C.

With the Board's consent, we shared the investigation report with C, which provided reassurance that the issues raised had been seriously considered under the local process.

In response to our enquiries, the Board produced a detailed action plan. We considered that this provided a credible and deliverable approach to carrying out the recommendations within a reasonable time period.

The Board also provided details of their revised approach to sharing information with whistleblowers, which they had put in place reflecting on this and other cases.

The Board agreed to meet with C to provide an update on action taken, with specific reference to the outstanding questions raised. Following the meeting, we provided C's comments on the action plan to the Board as feedback.

As all parties agreed to specific and deliverable action that would resolve the complaint, our decision in this case was to discontinue the investigation, subject to monitoring of the actions agreed.

We recognised C's public-spirited approach in raising concerns. We also recognised the Board's commitment to improving services and learning through the whistleblowing process and positive engagement with the resolution.

In reflecting on the case, we noted the difficult balance for NHS organisations in balancing confidentiality with the need for openness and transparency. INWO noted there was a learning point for NHS organisations generally about ongoing communication with whistleblowers; in particular, providing assurance that action has been, or is being taken to address identified issues, within a reasonable timeframe.