

INWO decision report

Case: 202304876, Grampian NHS Board
Subject: Complaint handling



Summary

C raised a concern with the Board about a patient's treatment plan. The Board considered C's concern to be a difference of clinical opinion and advised C that the matter had been investigated and confirmed an appropriate management plan was in place for the patient. C was unhappy with the Board's response, which in their view did not address the specific concerns raised with regard to the management of the patient.

We considered information provided by C and the Board, including the investigation file and found failings in the Board's handling of C's concerns. This included a failure to provide regular updates to C and a failure to keep C's identity as a whistleblower confidential. We also found that the Board failed to investigate C's concerns in line with the National Whistleblowing Standards and that there were shortcomings in the stage 2 letter of response issued by the Board. Therefore, we upheld C's complaint and made recommendations to address these failings. We appreciate the Board's proactive engagement with these recommendations.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to investigate their concerns in line with the National Whistleblowing Standards.
- Apologise to C for not protecting their confidentiality during the investigation.

In relation to complaints handling, we recommended:

- Confidentiality must be maintained as far as possible in all aspects of the procedure for raising concerns. Staff need to know that their identity will not be shared with anyone other than the people they have agreed can know it, unless the law says that it can or must be. The name of the person raising the concern must not be routinely or automatically shared at any point, either during the investigation or afterwards. The procedure should be supportive of people who raise a concern and all people involved in the

procedure. This extends to maintaining the confidentiality of those involved in the procedure.

- For the Board to undertake a new investigation and to involve C in the process. Where concerns are investigated and not upheld, an explanation must be provided to C. If information cannot be shared with C, this must also be explained.