HEALTH AND SPORT COMMITTEE
CONSULTATION ON THE PROPOSALS FOR NEW INDEPENDENT NATIONAL WHISTLEBLOWING OFFICER ROLE
SUBMISSION FROM NHS LOTHIAN

How will the order affect the whistleblowing process?
It is anticipated that the order will have a positive impact on extant Board processes, bringing consistency across the NHS in Scotland and will provide absolute clarity via the powers to create whistleblowing standards, to define what is whistleblowing and in what circumstances these standards apply.

Should the ombudsman fulfil the role of Independent National Whistleblowing Officer?
Yes, we would support the ombudsman taking on the role of INWO. The ombudsman is impartial and independent from NHS Boards and the Scottish Government, therefore ideally placed to undertake the role and functions of the INWO.

Does the order give the independent National Whistleblowing Officer adequate powers?
Yes, the order enables the INWO to set standards, initiate investigations, determine if the employer handled the whistleblowing concern appropriately and acted reasonably in making its decision. Importantly the order confers on SPSO the ability to recommend that decisions on matters within its jurisdiction should be considered. The order allows the INWO to have control over its own affairs independent of Health Boards and Scottish Government.

Is there anything you would add, amend or remove from the order?
It is not evident from the order how the proposed powers will effect culture change beyond changes to policy and process. Perhaps further thought ought to be given to preventative approaches such as the Freedom to Speak up Guardian model.

15th May 2019