



WHISTLEBLOWING HELPLINE NEWSLETTER - MARCH 2014

Welcome!

Articles in this quarter's newsletter include news about our new Guidance on Raising Concerns in Health and Social Care, which was published this month. And [one year on from the Francis report](#) into Stafford Hospital, we have some good news stories about whistleblowing. Are things, finally, beginning to improve for people who raise concerns?

National Guidance on Raising Concerns at Work in Health and Social Care

The Department of Health asked the Whistleblowing Helpline to update the national guidance on raising concerns in health, and to extend it to cover social care. We have worked with a number of key stakeholders, and the new Guidance was launched on 17 March. It includes top tips for workers who want to raise concerns and top tips for operational managers to help them to respond effectively when a worker raises concerns with them, case studies of good practice and an explanation of the whistleblowing process and the law behind it.

[The Guidance](#) is available for download free of charge on our website. We are printing hard copies of the Guidance to distribute at conferences, and can post copies out to you on request.

Our new website

Also in March, we launched our [new, upgraded website](#), which will feature more news content, go into more depth about the issues, be more visually attractive and easier to navigate. Let us know what you think!

New Year Honours for whistleblower

Helene Donnelly, who was a nurse in the A&E department at Stafford Hospital, has been [awarded the OBE](#) in the New Years Honours list. She raised nearly 100 complaints about the treatment of patients there, became a whistleblower and was a key witness at the [Stafford Hospital public inquiry](#). She told the BBC she was "tremendously proud and honoured" to receive the OBE for services to the NHS, after what had been a "very difficult time personally and professionally". Helene is now an ambassador for cultural change at the Staffordshire and Stoke-on-Trent Partnership NHS Trust and takes staff concerns directly to the chief executive. "I hope this [honour] is recognition for lots of other people trying to raise concerns and this is also for the positive change we're trying to encourage now", she said. It's good to see the courage and integrity of a whistleblower being recognised in this way.

Dr. Kim Holt appointed to advise CQC on whistleblowing

Paediatrician Kim Holt flagged up concerns to senior management in 2006 about understaffing and poor record keeping at St Ann's clinic, part of Great Ormond Street Hospital. Sadly, her concerns were not acted upon and in 2007, Baby P died just three days after being seen by a locum doctor at the same clinic. We have learned that [Dr. Holt has just started a temporary role](#) as a professional advisor on whistleblowing for the CQC by leading a workshop with people who have whistleblowing experience, who discussed the issues they have faced and the barriers that can prevent staff from raising concerns. The feedback will help the CQC to develop their new approach to regulating health and adult social care services, which will include assessing how providers listen to and treat whistleblowers.

Former whistleblower is the first patient safety ombudswoman

Delilah Hesling, a nurse and former whistleblower who gave evidence at the Francis inquiry, has been appointed by her local Trust as [the country's first patient safety ombudswoman](#). Her role provides an intermediary, impartial, independent, confidential service to all patients, their loved ones and staff when they have concerns about patient safety. She sees herself as "someone who speaks truth to power and whose loyalty is first and foremost to my patients in partnership".

Whistleblowing in the news

Meanwhile, the important role which whistleblowers play has been underlined by recent stories in the media. At [Alder Hey Children's NHS Foundation Trust](#), a whistleblower raised concerns about the operating team to the Care Quality Commission (CQC), who made an unannounced inspection. It's a pity that in this case staff found it easier to go to the CQC rather than raise concerns internally, but the concerns are now being addressed. And at [Colchester General Hospital](#), after raising concerns internally with senior managers had failed, staff raised concerns with the CQC about alleged falsification of cancer treatment statistics in order to make them seem to meet national targets. At the Royal Wolverhampton NHS Trust, a coder [Mrs. Haynes Kirkbright](#), raised concerns about incorrect coding and was later asked to attend a disciplinary hearing to answer to allegations of disclosing information to an external source (the press). David Flory, chief executive of the NHS Trust Development Authority, has intervened in this case by writing to the chief executive to ask him to clarify what action the Trust has taken to address the whistleblowing allegations and for assurance that any further action they plan does not impede Mrs. Haynes Kirkbright's rights as a whistleblower.

In social care, after raising concerns repeatedly with managers to no avail, an [administrative worker from Orchid View](#) care home rang 999 to report her concerns. She felt she had morally no choice but to raise concerns about medication errors and the destruction of records showing these errors. And four care workers from [Hillcroft nursing home](#) were convicted of abusing elderly people with dementia after staff blew the whistle on the abuse.

Professional bodies and Members of the House of Commons added to the List of Prescribed Persons

The Public Interest Disclosure (Prescribed Persons) Order 1999 SI 1999/1549 was amended in October 2013 to include professional regulatory bodies such as the General Medical Council, the Health and Care Professions Council, and the Nursing and Midwifery Council. This means that individuals can make relevant disclosures around fitness to practice issues to these bodies and be protected under the Public Interest Disclosure Act 1998. The new SI is SI 2013/2213 – The Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2013.

More recently, an [amendment has been made to the Public Interest Disclosure Act \(s.43F\)](#) which will come into effect on 6 April 2014 which will mean workers are protected from bad treatment or dismissal when they make disclosures to any Member of Parliament. In order for the disclosure to be protected, the worker must show that he or she reasonably believed that the malpractice falls within the matters for which the person is prescribed and that the information disclosed, and any allegation contained in it, are substantially true.

Contact Us

As always we welcome feedback about our newsletter, do let us know if you have any thoughts about what people want to read or if you have any suggestions for improvements.

You can contact the Whistleblowing Helpline on 08000 724725, or email us at enquiries@wbhelpline.org.uk

If you do not wish to receive the newsletter in future, please email rosemary.crockett@mencap.org.uk and ask to be unsubscribed.