



## WHISTLEBLOWING HELPLINE NEWSLETTER - AUGUST 2014

### Welcome!

Articles in this quarter's newsletter include: information about the Freedom to Speak Up Review into whistleblowing in the NHS; our free training package for managers to help them respond confidently and effectively when staff raise concerns; and the further changes in whistleblowing arrangements which have just been announced by the Government.

### Robert Francis is leading an independent review into whistleblowing in the NHS

Sir Robert Francis QC has been appointed to lead a [review](#) of how whistleblowers are treated in the NHS, planning to report his findings in November 2014. The review is called Freedom to Speak Up: an Independent Review into Creating an Open and Honest Reporting Culture in the NHS. It will look at what action is necessary to protect NHS staff who speak out in the public interest, how they can be confident to speak out and be sure they will be listened to and appropriate action taken.

The review will gather information in a number of ways. These include an invitation to share experiences and ideas, seminars, a report to the Secretary of State and research projects.

The research projects are:

- Confidential, in-depth interviews will be held with a representative sample of people with experience of whistleblowing, whether as an individual raising concerns, a manager receiving them, or HR advisor. The interviews will explore views and attitudes to whistleblowing and the perceived barriers to raising concerns in the NHS. The research will be led by Dr Wim Vandekerckhove from the University of Greenwich during August and September. For further information and details of how to volunteer to be interviewed please visit: <http://www.wbhelpline.org.uk/freedom-to-speak-up-review/>
- A confidential survey to be sent to all NHS workers, employers and associated organisations. It is being undertaken for the review by Professor David Lewis of Middlesex University. This will take place in August and September.
- A desktop review of whistleblowing policies which will compare practice in the NHS with other sectors and countries.

For more information about the review please go to the website

<http://freedomtospeakup.org.uk/>

Helene Donnelly, the nurse who repeatedly raised concerns about the A&E department at Stafford Hospital, will be acting as an advisor to the review and is also working on a training module to be used in mandatory training days within the NHS.

### Changes in whistleblowing legislation

The Department of Business Innovation and Skills have just published the findings of their consultation on the Whistleblowing legislative framework. The changes, which are to be made by April 2015, include:

- Requiring regulators to report annually on numbers of whistleblowing cases and whether they have been investigated, to improve confidence in the regulators' role and actions.
- Student nurses are to be protected by the Public Interest Disclosure Act (PIDA)
- The Department feels there is a strong case for a change in cultural attitudes to whistleblowing, and that legislation can only go so far.
- Guidance is to be prepared by relevant bodies by the end of 2014, to clarify that PIDA is a remedy for bad treatment (not a protection) and to set out a non-statutory code of conduct

The full document is available [here](#). For a more detailed legal analysis, click [here](#).

### Free training package for managers available

A free training package for managers is available from the Whistleblowing Helpline. It is designed to explore a manager's responsibilities in relation to staff who wish to 'blow the whistle' and how to respond confidently and effectively. The course aims to help managers to:

- Explore definitions of whistleblowing
- Understand the benefits of fostering an open and transparent culture where staff are encouraged to raise concerns
- Explore the legislation covering whistleblowing
- Know how to handle whistleblowing cases
- Know where to go for help and support

For more details, please contact Rosemary Crockett, the Policy Manager of the Whistleblowing Helpline, via email at [rosemary.crockett@mencap.org.uk](mailto:rosemary.crockett@mencap.org.uk)

### SCIE film

A film [for social care staff about whistleblowing](#) is now available on the Social Care Institute for Excellence (SCIE) website. It's a 12 minute film designed to be used at staff team meetings in social care.

It's designed to encourage organisations to create a safe environment for staff to raise concerns openly as part of normal day-to-day practice. The film includes an interview with the Policy Manager of the Whistleblowing Helpline and promotes our new Raising Concerns at Work Guidance. There are also interviews with whistleblowers, managers, David Behan from the Care Quality Commission and an academic.. The film encourages managers to invite staff to flag concerns and mistakes, to listen to what they say, learn from it and make improvements to services.

### A Question of Culture

The Health Service Journal has published three case studies of open cultures where raising concerns is seen as something positive, to be encouraged and taken seriously. The organisations involved are: Wrightington, Wigan and Leigh Foundation Trust (HSJ, 30 May 2014), which sees raising concerns as part of staff engagement and Listening into Action initiatives including staff listening events and communication at team level and staff involvement in change; Birmingham and Solihull Mental Health Foundation Trust which uses a Dear John website for staff to report concerns directly to the chief executive; and East London Foundation Trust which have put in place a variety of mechanisms to embed listening and learning into the culture (HSJ, 16 May 2014).

### NHS staff to face prison for 'wilful neglect' of patients

NHS staff will face the risk of going to jail if they mistreat patients after ministers decided to bring in a criminal offence of '[wilful neglect](#)'. In a [consultation response](#), the Department of Health said it planned to introduce the new offences as part of the Criminal Justice and Courts Bill.

### Increase in the number of calls to the CQC's disclosure line

The number of concerns registered with the Care Quality Commission's [whistleblower disclosure line](#) has almost doubled in the past year.

### 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](mailto:enquiries@wbhelpline.org.uk)

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