

Raising Concerns (Whistle-Blowing) Update Report November 2017

1. Executive Summary

This report covers the period April – November 2017 and provides an update on the status of cases being managed under the Raising Concerns at Work Policy and progress towards implementing Freedom to Speak Up.

2. Summary/Key points

The Raising Concerns at Work Policy is in place to provide any Trust employee with a number of options and ways to raise a concern and there are a number of ways of doing this either openly, confidentially, or anonymously. The Trust Board has nominated a lead non-executive director, Janet Rubin, to have oversight of the policy and procedures for Raising Concerns at Work and to ensure the Trust Board is kept informed and can take assurance that all complaints are investigated and responded (as far as is reasonably possible).

The issues raised have been investigated and the outcomes, where known, highlighted below. There are no particular trends or patterns of behaviour identified as a range of issues have been identified. However, where issues are identified the Director of HR and OD reviews the outcomes and ensures actions are taken and any learning shared as appropriate. The cases reported since June 2015 are outlined in the table below:

	Raised by	Issue	Date Raised	Lead Manager	Status and date of resolution	RAG
1.	Member of staff	Concerns around the maternity department at NPH that are affecting patient care and staff morale.	5 October 2017	A Pye	The concerns raised are being investigated by an independent investigator.	A
2.	Via CQC	Willesden Centre for Health – not running smoothly and is affecting care	29 September 2017	A Pye	A comprehensive investigation is to be undertaken by [REDACTED].	G
3.	District Nursing	Ealing District Nursing Service Professional misconduct and financial malpractice (Recruitment irregularities that need to be investigated as jobs were banded based on	18 August 2017	[REDACTED] [REDACTED] [REDACTED]	[REDACTED] investigating. Letter to be sent to all staff members that made similar allegations earlier in the year to inform them. Investigation commenced 3rd November 2017. Four staff members	G

		friendship and favouritism).			were interviewed so far. Completion of interviews envisaged by 24 th November 2017.	
4.	Members of staff in Jack's Place	Unsafe patient care, lack of support, bullying and suspicion of fraud in Jack's Place	22 July 2017	Amanda Pye	██████████ – investigating officer. Investigation underway with remaining interviews due w/c 11 th September. The investigation is completed and there were recommendations. The report is waiting to be finalised.	G
5.	Anonymous (member of bank staff)	Highly inappropriate behaviours of senior staff member in medical records	18 July 2017	Sonia Patel.	Investigation undertaken in line with Disciplinary Policy and has now been concluded with view that there is a case to answer. Disciplinary hearing to be held 20 th September. Disciplinary hearing concluded.	CLOSE
6.	Paediatric Therapy Team	Concerns re senior member of staff	10 July 2017	██████████	Sandra Adams – investigating officer. Investigation underway and due to complete w/e 22 nd September. Investigation completed and there was no evidence to support the allegation. Close	CLOSE

7.	Member of staff	-The Trust recruitment Policy not being adhered to -Professional misconduct of a senior member of staff	4 July 2017	██████████ ██████████ ██████████	██████████ – investigating officer. Initial meeting has been held with the member of staff. Further to an investigation there were some aspects of the recruitment process that could be improved although they were resolved at the time by management. Also there are some recommendations for the STARRS team. There was a further meeting with XX following completion of the investigation outlining the outcomes. This was followed up by a letter to XX	CLOSE
8.	CQC	CQC Inquiry re: Junior Doctors rotas	June 2017	DGM - WCS	The Findings concluded that *all incidents are recorded as closed and acted upon. No significant trend was identified. *Junior doctor rotas and vacancies were reviewed and there were no notable gaps in roster plans *Rota gaps did not emerge as a reporting issue.	
9.	Via CQC Anonymous (NP Mental Health Centre)	Member of staff's hire of own family members who are paid at a high rate of pay. -Clinics being cancelled at short notice -other levels of staff being verbally assaulted regularly -sexual harassment -Medical secretary heavy	24 April 2017	██████████	██████████ to lead the investigation and intending to complete within 6 weeks of start date. Due to commence before the end of September. Hire and payment of a member of staff above employment grade in District Nursing team in Mattock Lane is part of the same investigation commenced 03/11/17.	A

		workload			Report to become available upon completion of investigation.	
10.	Dermatology Consultants	Patient safety due to staff shortages and job planning/productivity expectations	16 February 2017	Lee Martin	RW and CG met with 3 clinicians to hear concerns which were subsequently discussed with COO and senior departmental colleagues. COO met with Clinical Lead to agree an action plan which is being implemented by the division. RW requested if they had any outstanding concerns to raise them with him. Closed.	
11.	Member of staff	Issues in Ealing Radiology	September 2016	James Walters	An investigation has been completed. There were no grounds to substantiate the issues raised. Closed.	
12.	Anonymous	Problems faced by Nurses in Jack's Place in NPH	30 August 2016	Amanda Pye	Investigator external to the division was appointed. Following the investigatory meetings, the individual roles and responsibilities of the two roles could not be not differentiated. A report with recommendations together with an action plan. Closed	
13.	Anonymous Member of staff	Temporary Staffing Team issues	July 2016	C Gore	The same issues were raised in a grievance which was investigated. Director of HR & OD met with team and is attempting to mediate and resolve the situation through service re-design and a restructure. Closed	
14.	Member of staff	Clayponds – HCA	22 April 2016	██████████ General Manager	Investigation completed at the end May 2016. Following an investigation, there was evidence to largely substantiate the concerns raised. Recommendations	

					included measures taken in line with the informal procedure of the Disciplinary Policy. Specific actions such as individual and team meetings were undertaken. Closed	
15.	Anonymous member of staff	Lone Working Issues in MRI	23 March 2016	Amanda Pye	Investigation was undertaken and rotas have been introduced to address the concerns raised. Closed	
16.	Anonymous Member of staff	Clayponds – complaint about Admin Office and others	March 2016	General Manager – [REDACTED]	An informal investigation found that whilst there were no behaviour that warranted formal action there was several learning points highlighted which are being addressed by the manager. Closed	
17.	Member of staff	Management of the process of raising the concern and level of support offered	February 2016	Claire Gore	Investigation completed and being fed back to staff with actions agreed. Closed	
18.	Member of public	Staffing levels at Fielding and Hardy Wards	9 February 2016 Via CQC	Amanda Pye	AP confirmed outcome to CQC closed – no further action required	
19.	Staff Member anonymous	Wembley DN Team Review demand on the team and the team's capacity to meet demand	2 February 2016	[REDACTED]	The recommendations are in process of being carried out and some have been completed already. Closed.	
20.	Anonymous	Specialist Nurse – compressed hours (Brent Community Children's Services)	18 January 2016	[REDACTED] General Manager – Children's Services	Investigation now concluded and there was no evidence to uphold the allegation. There were a few recommendations to be addressed.	
21.	Member of staff Via CQC	Re: Intestinal Failure Unit - Insufficient staffing on Frederick Salmon Ward; insufficient numbers of staff	11 January 2016 Via CQC	Amanda Pye	Amanda Pye / [REDACTED] to advise on resolution. CQC closed – no further action	

		with IV training; B4 overseas staff administering IV drugs				
22.	Member of staff Via CQC	No gynaecological cover at Ealing Hospital	11 January 2016 Via CQC	Amanda Pye	Upon investigation by the DGM the rota was circulated in error for the week. It is normal practice to provide cover at Ealing. Report outstanding. CQC closed – no further action	
23.	Member of staff via email 21.12.15	Possible fraudulent activity within the Jeffrey Kelson Centre at CMH	December 2015	██████████ Divisional General Manager - Surgery	██████████, DGM assigned as investigating manager. The matter was talked through with the member of staff who raised the concern and since submitting the concern she felt that the situation got better and does not want the matter to be taken any further. All the concerns raised have been dealt with the individual whose time keeping has now improved. Arrangements being made for feedback to be given to individuals cited in allegations. Closed	
24.	Anonymous: member of staff (9.12.15)	Concerns regarding move to T Block	December 2015	██████████	Investigated and responded by Deputy Director of HR. Closed	
25.	Anonymous re: Clinician	Clinical practice and behaviour of senior clinician toward patients and colleagues	10 November 2015	Charles Cayley	GM undertook an investigation which is due to conclude Mid-February. It was concluded there was no evidence to support the claim. Closed	
26.	Ex-employee re: Willesden & Kilburn HV	Allegations ranging from general conduct, bullying, lack of support and threatening behaviours	October 2015	██████████	Investigation complete – report expected 22 January. There was no evidence to substantiate the allegations however training needs were identified.	
27.	Member of staff	The use of electrical	8 October 2015	Nigel Myhill	It is recommended that the Dept.	

	re: Estates Electrical Contractor	contracting firm			extends the process of having tender reports undertaken describing value for money of the preferred response in order to ensure objective selection of contractors.	
28.	Staff member re: Brent & Ealing Wheelchair Service	Alleged 'dire' treatment of staff by the service lead	August 2015	██████████ General Manager – Adult Services	There were delays due to receiving key witness statements however investigation is now complete and report is to be finalised. The report was finalised in June 2016 and the findings shared with staff prior to the service transfer to the new provider. Following the investigation there were inconclusive findings. It was recommended that the new provider of the service review operational and governance arrangements within the service and ensure robust and inclusive process are in place. Closed	
29.	Anonymous re: Emergency Department	Concerns that the ED does not have a current fire certificate	July 2015	Nigel Myhill	Preliminary review undertaken to address the points raised. Closed	
30.	Anonymous re: Agency staff	Overuse of agency staff	July 2015	██████████	Reviewed as part of the Trust agency spend and monitored on a weekly basis through the recruitment and temporary staffing working group. ?Closed	
31.	Anonymous re: Clinician	Complaint regarding clinical trials.	June 2015	Charles Cayley	Complaint was received via an email from the CQC (██████████). Complaint concluded. Closed.	

3. Freedom to Speak up Guardian

Lord Robert Francis' Freedom to Speak Up report was published in February 2015 (having been commissioned by the Secretary of State following the Mid-Staffordshire Report) made a number of recommendations and contain a number of principles and actions for regulatory bodies, government and healthcare providers against the following five themes:

- Culture change
- Better handling of cases
- Measures to support good practice
- Particular measure for vulnerable groups
- Enhancing the legal protection

A key action from the Francis report is for each trust to appoint a Freedom to Speak up Guardian. The Trust has appointed its first such Guardian who has undertaken the national training. There remain several issues to resolve before the updated policy, processes and F2SU Guardian's role are publicised across the Trust. The post holder will have direct access to the CEO and on a day to day basis will report to the Director of Corporate Affairs. The current Raising Concerns at Work policy has been reviewed and will be finalised in the coming months and then publicised to ensure that it is clear to staff how they can raise concerns in confidence and be assure of confidentiality, and anonymity where sought. Resources are being prepared ready for the launch.

4. Recommendations

The Trust Board is asked to note the contents of this paper and the further work initiated to implement the recommendations of the Freedom to Speak up Report.