

Response from the Royal College of Physicians of Edinburgh to the Northern Ireland Department of Health Consultation on Raising a Concern in the Public Interest (Whistleblowing) HSC Framework and Model Policy.

<https://www.health-ni.gov.uk/consultations/raising-concern-public-interest-whistleblowing-hsc-framework-and-model-policy>

Consultation Questions

1. Do you agree our approach to the definition of the term “Raising a Concern” is successful in clearly demonstrating the breadth of the concerns which fall within the scope of the model framework and when the process for raising a concern should be used?

Agree

Disagree

If you select disagree please include further details below:

The Royal College of Physicians of Edinburgh (RCPE) generally agrees that the definition of “Raising a Concern” clearly sets out the breadth of issues which fall within the framework and when it should be used.

2. Do you agree that the guidance within the model framework is clear in addressing legislation and best practice documents?

Agree

Disagree

If you select disagree please include further details below:

Some Fellows are concerned that the guidance is frequently repetitive and consider that it might benefit from editing and refining.

- 3. Do you agree that the monitoring arrangements stipulated within the framework are sufficient in gathering data that will be effective in determining the success of the process**

- Agree
 Disagree

If you select disagree please include further details below:

A number of Fellows have concerns that the externality and thus impartiality of the monitoring arrangements are not sufficiently clear. It is felt that the focus appears to be on internal Trust registers and reporting to senior management and that more is required to demonstrate the external objective assessment is robust.

- 4. Do you agree that the approach set out within the framework clearly demonstrates that the process ensures all staff and others who raise a concern will receive appropriate protection?**

- Agree
 Disagree

If you select disagree please include further details below:

Fellows consider that it would be helpful to explain the claim it “is not possible to protect” anonymous whistleblowers (page 11) and how this is consistent with an “appropriate protection” policy.

5. Do you agree that the approach taken in designating roles and responsibilities within the organisation in relation to handling the process for raising a concern will establish confidence in the integrity of the process?

Agree

Disagree

If you select disagree please include further details below:

As stated in response to question 3, Fellows have some concerns regarding a possible lack of externality and would like to see this clarified.

6. Do you agree that the process laid out in appendix B is clear and comprehensive?

Agree

Disagree

If you select disagree please include further details below:

Fellows consider that there is insufficient guidance regarding anonymity and not simply confidentiality.

7. Do you agree that the process laid out in appendix B successfully ensures individuals who raise a concern are given appropriate feedback in a timely manner?

Agree

Disagree

If you select disagree please include further details below:

8. Do you agree that the approach to monitoring and reporting within the framework ensures that lessons learned will be identified and applied appropriately to enable improvements in service.

Agree

Disagree

If you select disagree please include further details below:

9. Do you agree that the approach taken in this framework creates a safe process where staff can raise concerns within a culture of openness and transparency where learning for improvement will be encouraged?

Agree

Disagree

If you select disagree please include further details below:

While supporting an open and transparent culture, some Fellows have concerns that encouraging whistleblowing to be a “part of a normal day-to-day practice” may, in some circumstances, potentially create a culture of suspicion. It is considered that there needs also to be a focus on, and highlighting of, other improvement mechanisms and not just the encouragement of regular whistleblowing.

10. Do you agree with the outcome of the Impact Assessment Screenings? Have you any comments on either the Equality/Human Rights or Rural screening documents? Have you anything you believe we should be considering in future Equality/Human Rights or Rural screenings or future impact assessments?

Agree

Disagree

If you select disagree please include further details below:

APPENDIX

Freedom of Information Act 2000 – Confidentiality of Consultations

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential. If you do not wish information about your identity to be made public please include an explanation in your response.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Secretary of State for Constitutional Affairs' Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

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