

June 2019

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Consultation on the Draft National Whistleblowing Standards

The Scottish Government will introduce the role of the Independent National Whistleblowing Officer (INWO) for the NHS in Scotland in 2020. The Scottish Public Services Ombudsman will carry out the INWO role and function.

The INWO will develop and publish National Whistleblowing Standards setting out the Principles and Procedure for investigating concerns which all NHS organisations in Scotland will be required to meet and follow.

Our consultation on the draft National Whistleblowing Standards which is available [on our website](#) opened on 1 May 2019 and will close on **28 June 2019**. We encourage anyone who has an interest in this area of our work to respond to this consultation.

Change to SPSO email contact information

Our email address domain has changed to **@sps.gov.scot**. We ask you to please ensure you update your internal contact information for SPSO with our new domain. Emails sent to us using our previous Government Secure Intranet (GSI) domain will continue to be received for the time being but this may stop if the GSI framework is withdrawn in full in the future.

We continue to be part of the Public Service Network (PSN) and our email is secured by Transport Layer Security (TLS). Our website remains www.sps.gov.uk.

Our findings

Complaints

This month we:

- are publishing 37 decision reports available [here](#)
- upheld 25 complaints in full or part
- made 80 recommendations for learning and improvement.

Learning points

- [201800839](#) - we found that the health board's approach to dealing with hip replacement surgery referrals for patients with a high BMI was not sufficiently supported by available guidance. The patient was also not thoroughly assessed before surgery was declined. We asked the board to adopt a more flexible, holistic approach and ensure it was in line with available guidance. We also recommended reimbursing the patient for private surgery that they underwent as a result.
- [201805988](#) – we found that the health board failed to record a misdiagnosis of brain cancer on their incident reporting system and carry out a serious adverse event review. We acknowledged that the misdiagnosis was likely a result of human error but asked the board to ensure that appropriate reviews are carried out to consider whether there were any contributory factors that could be mitigated.
- [201802649](#) – we found that the Crown Office and Procurator Fiscal (COPFS) unreasonably delayed in investigating a death. While COPFS have no fixed timescales in which investigations should take place, we asked that they are more proactive in managing expectations in relation to timescales and driving investigations forward.

Scottish Welfare Fund (SWF) Reviews

During May we:

- responded to 85 enquiries
- made 71 decisions (31 community care grants and 40 crisis grants).
- signposted an additional 75 applicants to alternative sources of assistance, which in most cases, was their local council.

This represents a significant increase in demand for our service when compared to the same period last year. Year on year, enquiries processed in May increased by 33% and decisions made increased by 48%.

This month, many of the community care grants we received required us to consider the council's assessment of qualifying criteria. [For related case studies, please see our SWF website.](#)

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