

## Response ID ANON-RSAW-G26X-4

Submitted to **NHSScotland 'Once for Scotland' Workforce Policies - Core Policies: Consultation**  
Submitted on **2019-05-17 09:18:15**

### About you

#### What is your name?

**Name:**

Val Malloch

#### What is your email address?

**Email:**

valerie.malloch@spsos.gsi.gov.uk

#### Are you responding as an individual or an organisation?

Organisation

#### What is your organisation?

**Organisation:**

Scottish Public Services Ombudsman

#### The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name)

**We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?**

Yes

### Workforce Policy Investigation Process

#### 1 Is the policy easy to read and clear to all parties?

Not Answered

#### 2 Is the policy fit for purpose?

Not Answered

#### 3 Does the language reflect our vision for policies to be user-friendly and supportive reflecting NHSScotland core values?

Not Answered

#### 4 Are there any additions required to the supporting documents listed?

Not Answered

**If yes, please specify.:**

#### 5 Are the stages in the process appropriate?

Not Answered

**If no, please indicate the reasons for your response.:**

#### 6 Should the Investigation Team make the decision on what the next stage is following an investigation under this policy?

Not Answered

**If no, please indicate who should make this decision.:**

#### 7 Please provide any other comments you have in relation to the policy.

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The Scottish Public Services Ombudsman is currently being considered for a new role as the Independent National Whistleblowing Officer for Scotland. As part of the preparation for this new role, we have produced draft standards for the handling of whistleblowing concerns.

We have not commented on most of this consultation because we consider others are better placed to do so but wanted to highlight a point of significant difference between the investigatory processes set out here and those in the draft standards – the absence of timescales for investigation.

Investigatory complexity can vary but our experience in complaints handling is that setting flexible time-based performance indicators are critical to ensuring investigations are completed efficiently and effectively. When such indicators do not exist, it is too easy for investigations to become lengthy and delayed. They are likely to be de-prioritised when timescales are in place for other work and they also encourage over-investigation, a process which can complicate and derail investigations which benefit from focussed concentration on key points.

Published time-based indicators also allow staff to be reassured that investigations will be conducted within a reasonable time frame. They should also set a clear expectation around the frequency of communication and lay out the need to ensure that all concerned are kept informed of progress, and how to escalate matters which they believe are being unreasonably delayed.

We would recommend consideration is given to including performance indicators for investigations linked to realistic timescales. In setting those, we would suggest they should reflect timescales used elsewhere. The indicators would set out the expectation for most investigations but allow for extensions when appropriate. Extensions should always be communicated to all parties involved in the investigation with reasons for the extension and a new date for completion given.