

Ref: FOI/CAD/ID 2927

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Freedom of Information Act 2000

I am writing in response to your request for information made under the Freedom of Information Act 2000 in relation to whistleblowing.

Maidstone and Tunbridge Wells NHS Trust is committed to creating, sustaining and promoting a culture and climate of openness and honesty, ensuring that all staff are confident and encouraged to raise concerns in accordance with Professional Codes of Conduct and Trust policy. The Trust wants staff to have confidence that their concerns will be taken seriously and that the issues are resolved thus ensuring that all activities of the Trust are carried out in a way that promotes the highest standards of patient care and business practices.

Free expression by individuals of their genuine concerns is welcomed by management as a contribution towards protecting patients, staff and the public and improving services. The Trust is committed to dealing responsibly, openly and professionally with all concerns that are raised.

The Trust understands that at one time or another staff may have a concern about what is happening at work. The Trust encourages staff with such concerns to resolve these through a quick discussion with the person best placed to resolve the problem, whether that be the line manager, a colleague, or other person within the organisation. However, the Trust recognises that occasionally concerns cannot be resolved in this way and needs escalation through a different route and the Trust has implemented a Speak Out Safely (SOS) Policy and Procedure (formerly Whistle Blowing).

The purpose of the policy is therefore to provide a safe mechanism for staff to raise legitimate concerns in good faith and have a clear process to follow about how to do this, with the assurance that such concerns will be fully

investigated and dealt with by the Trust, with the individual raising the concern receiving feedback on the outcome of the investigation.

This policy applies to all employees of Maidstone and Tunbridge Wells NHS Trust, secondees, those holding honorary contracts, locum/bank/agency workers and any independent contractors and volunteers who experience/witness issues of concern during the course of their period of work on Trust premises that relate to activities or services for which the Trust has responsibility.

In relation to the specific questions:

- 1) "collect data on the nature and number of concerns raised"
Maidstone and Tunbridge Wells NHS Trust collects data on the nature and number of concerns raised.
- 2) "Is there evidence of constructive and timely feedback?"
The Trust Speaking out Safely Policy and Procedure outlines the responsibility for Trust Designated Officers to provide feedback to the individual raising the concerns in a timely manner following investigation. A paper record of Concern, Investigation and Action Form is completed but the Trust does not currently report on timeframes. The Trust is looking at an electronic solution to improve this area.
- 3) "Have there been any difficulties with confidentiality?"
This is not currently reported. However there have been occasions of difficulties with maintaining confidentiality/anonymity due to the nature and context of concerns raised. The Trust and designated officers work hard to maintain confidentiality wherever possible.
- 4) "Have any events come to the board's attention that might indicate that a staff member has not been fairly treated as a result of raising a concern?"
No disciplinary action, suspension or dismissal of staff has occurred as a result of a staff member raising a concern.
- 5) "Could the issues have been picked up or resolved earlier? If so, why weren't they?"
This is not currently reported. However recommendations from investigations are made to ensure continuous learning within the organisation.
- 6) "information from exit interviews"

The Trust has implemented a new online exit interview which all staff are encouraged to complete upon leaving the organisation. Data will be presented to the Workforce Committee (Sub-committee of the Board) in December 2015

7) “information from...PIDA or other legal claims”

This is not currently reported.

8) Survey staff experience

This is reported and data already publically available from the National Staff Survey results for 2013 & 2014.

The Trust will be asking a sample of staff the following questions for the 2015 National Staff Survey 2015 which is about to commence:

- a) If you were concerned about unsafe clinical practice, would you know how to report it?
- b) I would feel secure raising concerns about unsafe clinical practice
- c) I am confident that my organisation would address my concern.

The Trust provided the CQC Inspection Team with the following information in October 2014:



Concerns CQC

For the remainder of 2014 (October, November and December)

13	October 2014 Concerns raised by individuals about behaviour of manager
14	November 2014 Letter from individual citing bullying and harassment by manager.
15	December 2014 Concerns raised by individual about behaviour of colleagues
16	December 2014 Letter from individual citing bullying and harassment by colleague.