

UNIVERSITY OF ST ANDREWS
**NATIONAL WHISTLE BLOWING STANDARDS: NHS SERVICES PROVIDERS –
IMPLICATIONS FOR THE UNIVERSITY**

EXECUTIVE SUMMARY

1. The National Whistleblowing Standards (“the NWS”) provide a standardised procedure, for every organisation that delivers NHS Services, where their staff, students, volunteers and others contracted to provide health services, can raise concerns via a local whistleblowing process. This is a legislative requirement for all Scottish NHS service providers to comply with.
2. The legislative framework¹, gives the Scottish Public Services Ombudsman (“the SPSO”) (presently Rosemary Agnew) the additional role of Independent National Whistleblowing Officer (“INWO”).
3. It is expected that whistleblowing concerns will first be reviewed by local procedures. However, individuals can take concerns to the INWO, who will assess what action can be taken on a case by case basis. It is likely that the SPSO/INWO would ensure that an internal investigation was appropriately undertaken, before commencing any INWO investigation.

ROLE FOR MEDICAL SCHOOLS

4. Scottish Higher Education institutions do not fall within the bodies and providers, covered by the legislation. If a student on placement has an issue about the University and/or the quality of the training, a complaint can be made via the University Complaints Handling Procedure (“the CHP”).
5. The NWS makes it clear that students [under placement], (amongst others e.g. those on an apprenticeship) must have access to these standards, “*for raising concerns about NHS service delivery.*”²
6. The NHS service deliverer is responsible for raising awareness of their whistleblowing procedures with placement students, as if those persons were an employee. However, it is recognised that students on placement may be vulnerable, where their progression depends on an assessment, made by a practitioner or placement provider, and the NWS provides that whistleblowing concerns can be raised by a placement student, via an intermediary, who is a member of staff of their university/college.

¹ The Public Services Reform (The Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020, available online:

<https://www.legislation.gov.uk/ssi/2020/5/contents/made>, accessed 28 January 2021.

² Arrangements for students and trainees, available online: <https://inwo.spsso.org.uk/arrangements-students-and-trainees>, accessed 28 January 2021.

7. The NWS provides that a placement student should also be able to raise a whistleblowing concern with their “*university representative*” or “*course advocate*” i.e.
 - a. *“Each course that provides placements, traineeships or work experience in NHS services must have a named person (such as the course coordinator), who can act as an advocate, and take the concern to the board or primary care service on their behalf. This person must be fully aware of these Standards, what students can expect when they raise a concern, and who to contact in each of the boards where their students work, in case any concerns are raised.”*³

8. Thus, the School of Medicine, for 01 April 2021, will need to establish and train, a network of course advocates, equipped to undertake the role set out in sector guidance, which accompanies the NWS, if those arrangements have not yet been made. In that regard, the guidance provides that a course advocate:
 - a. *“Must provide information and advice to students, and discuss the implications of raising the concern either directly or through the advocate.”* And;

 - b. *“If a student chooses to, they can use the course advocate to raise the concern on their behalf, and can choose whether they then remain anonymous to the board or service provider. If they choose to be anonymous, all communication must go through the course advocate. This includes enquiries for further information, updates and a final response at the end of the process.”*⁴

SUPPORT

9. The University Information Assurance and Governance Function supports the University CHP, and liaison with SPSO; and can also assist should liaison with the Ombudsman’s Office now be required and/or if work to prepare for this new initiative is needed.

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³ Students raising concerns through course advocates, available online: <https://inwo.spsos.org.uk/arrangements-students-and-trainees>, accessed 28 January 2021.

⁴ Ibid.