

Consultation questions

1. Do you agree that the following individuals should be given access to an investigation by the SPSO in her role as INWO?

individuals in the primary care sector	Yes
individuals delivering services for independent providers, under contractual arrangements with NHSScotland	Yes

Do you have any comments on this proposal?

2. Do you agree that the SPSO may specify in the model Whistleblowing Procedure which individuals may qualify as whistleblowers and which types of concerns may qualify as whistleblowing matters for the purposes of the INWO investigation?

- Yes
- No

Do you have any comments on this proposal?

3. Do you agree that the SPSO in her role as INWO should be able to investigate and comment upon the treatment of the individual as outlined in the consultation?

- Yes
- No

Do you have any comments on this proposal?

We agree. A role for the INWO in reviewing the treatment of the individual will be key to the role's effectiveness in addressing concerns about how whistleblowing is currently dealt with in some organisations.

We note the proposal to signpost individuals to other appropriate bodies and professional regulators where this is necessary in order to deal with a concern. This may be appropriate in some circumstances but we would expect that, if the INWO had a serious concern about a doctor, they would raise their concerns with us directly.

4. We propose that the SPSO in her role as INWO should be given powers to share proportionate information on practice issues with the following bodies (where it is directly linked to their role):

- Healthcare Improvement Scotland
- National Education Services
- Mental Welfare Commission
- National Services Scotland (namely Counter Fraud Services and Information Services Division)

Are there any other bodies that you think the INWO should be able to share this type of information with?

Yes

No

If yes, which other bodies do you think the SPSO, in her role as INWO should be able to share this type of information with?

We wish to stress the utmost importance of ensuring there is timely sharing of information between the INWO and the regulator where there is a patient safety issue that the regulator is best placed to deal with.

Whilst we don't have a strong view on how that information sharing is best facilitated it is important due regard is given to the process. We ask that this be considered in any decision on whether or not to open up the remit to cover regulators. We would be happy to discuss this matter further.

5. Do you have any other comments on our proposals for establishing the INWO?

We welcome the proposals for establishing the INWO. In particular, we welcome the broadness of the INWO's remit and ability to address wider issues which may impact on whistleblowing, like the culture within the board.

We are clear on the importance of tackling poor culture and bullying and undermining where it exists. The INWO is well placed to become part of that drive and we look forward to working with both the Scottish Government and the SPSO in this area.

Questions about you or your organisation

6. Are you responding on behalf of an organisation or as an individual?

Organisation

Individual

If you are responding for an organisation:

What is the name of the organisation?

General Medical Council

What is your role?

Policy & External Affairs Officer

7. If you are responding as an individual:

Do you work / have you recently worked in the NHS?

Yes

No

If yes, what is/ was your role in the NHS?

If not, what is your experience in relation to the health service?

8. We may wish to publish your consultation responses in full or in part. The Scottish Government would like your permission to do so. Please indicate your publishing preference.

- Publish response with name
- Publish response without your name – for individuals only
- Do not publish response

Please provide your name:

Eilidh Carmichael

Please provide your email address:

eilidh.carmichael@gmc-uk.org

Information for individuals

If you choose the option 'Do not publish response' we will still reflect your comments in our analysis but will not include any of the free text comments in any report of the consultation.

Information for organisations

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

9. We will analyse all responses and may publish a report. We may wish to contact you for further information. Are you content for the Scottish Government to contact you again in relation to this consultation exercise?

- No
- Yes

If yes, please provide your name and email address

Eilidh Carmichael, Policy & External Affairs Officer, GMC

Thank you

We welcome all comments and contributions, and will use this feedback to inform any amendments to the draft order.