

Meeting	SPA Audit Risk and Assurance Committee
Date	20 January 2022
Location	MS Teams
Title of Paper	SPA Whistleblowing Update
Presented By	John MacLean, Workforce Governance Lead
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

The purpose of this paper is to provide a mid-year whistleblowing update (annual updates provided after end of Q1) with a specific focus on training and measurement of staff confidence to raise concerns in line with ARAC action 20210715-AUD-001.

1. BACKGROUND

- 1.1 There is a requirement to provide annual whistleblowing updates to the ARAC with the next update planned for July 2022. As part of the 2021 annual update, the ARAC requested a mid-year update be provided to include information on training and approaches to measurement of staff confidence in the whistleblowing process. This paper will focus on these two key areas while setting out plans for the broader annual update in July 2022.

2. TRAINING PLAN

- 2.1 The 2021 annual update outlined the need for a training plan with a focus on sustainable approaches to induction/ refresher training and embedding appropriate training into relevant management and leadership development courses. Activity since this annual update is summarised below:

- A review of Police Scotland's Moodle approach to identify good practice and opportunities for mirrored approaches
- A review of the new ISO guidelines in relation to Whistleblowing management systems (published 31 July 2021)
- A plan to progress development of two Moodle packages (non-supervisory and supervisory) for the SPA to be provided as part of induction and refresher training.
- A plan to progress engagement with Police Scotland Leadership, Training and Development to ensure alignment with broader management and leadership development courses (recognising that procedural knowledge needs to be accompanied by a leadership culture to listen, act and foster an environment where staff have confidence to raise legitimate concerns)

- 2.2 The intention is to implement non-supervisory and supervisory Moodle packages by the end June 2022 along with an ability to clearly articulate how this approach aligns to broader leadership, training and development approaches to continue to foster a positive environment to raise concerns.

3. MEASURING CONFIDENCE

3.1 Your Voice Matters Survey

3.1.1 The Your Voice Matters Survey did not include specific questions in relation to staff confidence to raise whistleblowing concerns or concerns more generally. However, it did provide potential relevant indicators in relation to the organisational culture and the working environment.

Key Proposed Outcomes	Relevant performance indicators
Staff want and feel responsibility to raise legitimate concerns	The survey measured the extent to which staff are highly motivated to serve the wider community and feel their self-identity requires them to act with integrity and maintain ethical principles.
Staff feel comfortable and have confidence to raise concerns	The survey included several measures that could be potential indicators of the extent to which a positive environment exists where staff are encouraged and feel comfortable to raise concerns. For example, the survey measured workplace incivility, fear of making mistakes, perceived fairness in processes and outcomes and levels of organisational support. In addition it also looked at team inclusion in decision making and levels of inclusive, supportive and authoritarian leadership.

3.1.2 Recognising the survey does not provide a direct measure on confidence levels to raise whistleblowing concerns, Members are asked whether the inclusion of the scoring and planned action relating to the detail above would provide relevant assurances as part of the overall picture in relation to confidence levels and actions being taken to improve confidence (where required).

3.2 Pulse Survey (SPA Corporate Only)

3.2.1 Prior to the implementation of the new SPA Corporate structure, a pulse survey was carried out in March 2020 that tested staff confidence in raising concerns. Of those that responded:

- 80% either agreed or strongly agreed that they are comfortable raising a concern with their line manager, with 8% disagreeing.

- 68% either agreed or strongly agreed that they are comfortable raising a concern with someone else in the organisation with 20% disagreeing.

3.2.2 This provides a strong indication of a positive culture (as at March 2020) whilst also demonstrating room for improvement. Plans are in place to have a follow-up pulse survey to track progress against this measure with it anticipated that the annual whistleblowing update in July 2022 will provide the relevant results along with any planned improvement action, where necessary.

3.2.3 The proposal to progress a follow-up survey for SPA Corporate is very recent. Engagement will take place in early 2022 with SPA Forensic Services regarding the potential to progress a similar approach, with a view to enabling an assessment in relation to all SPA staff to form part of the annual update in July 2022.

3.3 Organisational Values

3.3.1 SPA Corporate and Forensic Services have core organisational values and behaviours which, where effectively embedded, contribute to a positive environment that ensures there is a confidence and responsibility to raise and address legitimate concerns. The annual update will provide more information with regards to these values, how they are embedded and will also outline key performance indicators that will help test the impact these values may be having on the working environment.

4. ANNUAL UPDATE

4.1 While this paper focuses on very specific issues, it also provides the opportunity to highlight current plans for the content of the annual update in July 2022, which will be as follows:

- Publication of performance indicators in relation to staff confidence and working environment to raise concerns;
- Update on progress against the broader whistleblowing improvement plan, following self-assessment in 2021;
- Outcome of further self-assessment against the new ISO guidelines in relation to Whistleblowing Management Systems;
- Outcome of collaborative discussions with Police Scotland in relation to sharing and implementation of good practice;
- Status of whistleblowing cases and any lessons learned.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications. However, an open and transparent culture will help to mitigate the associated costs of malpractice and poor financial decision making.

6. PERSONNEL IMPLICATIONS

- 6.1 The SPA approach to whistleblowing seeks to ensure that staff work in an open, transparent and safe working environment where people feel able to speak up.

7. LEGAL IMPLICATIONS

- 7.1 The policy seeks to ensure internal controls and processes are in place to enable SPA compliance with the relevant legislation. The work in relation to the implementation of the training plan seeks to build on this.

8. REPUTATIONAL IMPLICATIONS

- 8.1 An effective approach to whistleblowing is essential in detecting and deterring wrongdoing, whilst also raising the bar on standards and quality. The reputational benefit of having an open, transparent and safe working environment is clear.

9. SOCIAL IMPLICATIONS

- 9.1 No social implications.

10. COMMUNITY IMPACT

- 10.1 No community implications

11. EQUALITIES IMPLICATIONS

- 11.1 Developments in relation to training will be supported by an EqHRIA and further consideration will be given to any research that indicates varying confidence levels to raise concerns based on protected characteristics.

12. ENVIRONMENT IMPLICATIONS

12.1 A specific category for raising whistleblowing concerns relates to damage to the environment. No issues have yet been identified through the updated whistleblowing policy.

RECOMMENDATIONS

Members are requested to note the plans in relation to training and discuss the proposed performance indicators in relation to the measurement of staff confidence and working environment to raise concerns.