

## **Guidance on Dealing with an Anonymous Complaint**

This guidance is intended for managers who receive anonymous letters. It is not intended to replace any existing policies or to suggest to staff that this approach should be taken when they have concerns.

### *Allegation Received*

When an anonymous letter is received, the individual who receives this letter should refer it to the Site Director/General Manager, and if it relates to professional issues, copy the Chief Nurse/Associate Nurse Director/Head of Profession. This Site Director/General Manager will be the Commissioning Manager. The Commissioning Manager is responsible for notifying the appropriate director(s) and for notifying the relevant HR Manager.

All anonymous complaints must be logged with the HR Department, to ensure there is accurate recording and to enable NHSL to establish if there are any trends that need to be addressed.

The Commissioning Manager is also responsible for identifying whether there is sufficient evidence within the letter to warrant a fact-finding investigation, as well as an appropriate manager to take this matter forward.

Consideration should be given to the type of issue being raised. The issue may fall under the Whistleblowing Policy or Fraud Standards Policy, in which case the relevant policy should be followed, rather than Anonymous Complaint Guidance.

Whistleblowing relates to issues that are in the public interest, for example, issues that jeopardise health and safety, issues or lack of action that could create a risk of harm or wrong doing including patient safety/ care issues, poor practice, unsafe working conditions, fraud, manipulation of performance information, a breach of any legal obligation, an abuse of authority or a deliberate attempt to cover up any of these issues.

The Fraud Standards Policy relates to the action which should be taken when fraud, theft, bribery or corruption are suspected.

### *Fact-finding Investigation*

Where the issue does not fall under the criteria for whistleblowing, a discrete initial fact-finding exercise should be carried out by the appropriate manager. This is likely to be the cross-checking of statements contained in the anonymous letter, against paper and electronic systems maintained by NHS Lanarkshire.

It is expected that the fact-finding will be carried out with discretion and the individual/department who the complaint is around will be notified and participate in the process.

The fact-finding exercise should be carried out within 2 working weeks, unless it is agreed by the manager carrying out the fact-finding exercise and the Commissioning Manager that an extended timescale is required. This should be agreed jointly and the Commissioning Manager should be kept up to date with progress.

The HR Department would not usually be involved in the fact-finding process, however, will be able to provide support on process and may be able to provide assistance around some electronic systems.

## *Outcome*

An SBAR report of the findings should be provided to the Commissioning Manager, identifying whether there is or is not evidence to support the statements made in the anonymous letter. This should be provided to the commissioning manager within one working week of completing the fact finding exercise. The HR Manager should be notified of this outcome.

If it is identified that no further formal action is required, the Commissioning Manager should make arrangements to provide feedback to the relevant staff to highlight investigation outcome to them. This should be done within two working weeks of receiving the SBAR report. The Commissioning Manager may feel it is appropriate to do this on a face to face basis, by letter or both. Staff should be notified of any recommendations and how these will be implemented. Staff should also be reminded that senior management have an open door policy and if there any concerns, who these can be raised with. The HR Manager should be notified of the outcome.

If it is identified that there are conduct issues arising from the investigation, a formal investigation in line with the Conduct Policy should be undertaken by an appropriate manager with support from HR. There is still likely to be a need to provide feedback to the staff involved, however, consideration needs to be given to the appropriate time to do this, as it should not impact or influence any formal conduct process.

