

PSD Scotland – Freedom of Information FOI2026-3408

Annex A

From 1 April 2026, NHS Education for Scotland (NES) and NHS National Services Scotland (NSS) joined to form Public Services Delivery Scotland (PSD Scotland), enabling transformation in health, social care, and the wider public sector. This means your Freedom of Information request is now being responded to by PSD Scotland.

The below response details the information held by both former organisations.

1. How many incidences of whistleblowing has PSD Scotland recorded in each of the last five financial years (please break down by year, 2021/22, 2022/23, 2023/24, 2024/25, 2025/26)?

Under the [FOISA Section 25 exemption for “Information otherwise available”](#) the information that you have requested is already publicly available in both former organisation’s annual whistleblowing reports.

The relevant reports for each financial year are available at the links below and include the number of whistleblowing concerns recorded for the corresponding reporting period:

Former NES	Former NSS
2021-2022	April 2021 to March 2022 - NSS Whistleblowing Annual Report
2022-2023	April 2022 to March 2023 - NSS Whistleblowing Annual Report
2023-2024	April 2023 to March 2024 - NSS Whistleblowing Annual Report
2024-2025	April 2024 to March 2025 - NSS Whistleblowing Annual Report
2025-2026	2025-26 NHS NSS Whistleblowing Annual Report National Services Scotland

2. Does your whistleblowing policy encourage or direct whistleblowers to raise concerns with a "prescribed person" (as defined under the Public Interest Disclosure Act 1998)? If so, please specify which prescribed person(s) are referenced.

PSD Scotland, and its predecessor organisations NES and NSS, followed the NHS Scotland National Whistleblowing Standards, which form the NHS Scotland National Whistleblowing Policy. The Standards were adopted by NES in April 2021, replacing its local whistleblowing policy, and NSS did not have a separate standalone whistleblowing policy.

The Standards do not require individuals to raise concerns with a “prescribed person” under the Public Interest Disclosure Act 1998. They encourage staff to raise concerns internally where possible, while recognising that individuals may raise concerns externally where appropriate.

The Standards signpost NHS Scotland staff to the Independent National Whistleblowing Officer (INWO), which is part of the Scottish Public Services Ombudsman (SPSO). The INWO became a prescribed person on 15 December 2022 for whistleblowing disclosures and how they are handled in the NHS in Scotland. The INWO is therefore the prescribed person specifically referenced for NHS Scotland whistleblowing concerns.

The Standards also refer to a range of other support agencies, regulators and professional bodies. Some may be prescribed persons for particular types of disclosures, but they are not explicitly identified in the Standards as prescribed persons for the purposes of this request.

Within the organisation, staff also had access to confidential contacts and defined whistleblowing roles, including the Whistleblowing Ambassador, Executive Lead and Champion. These roles supported the internal handling, oversight and signposting of whistleblowing concerns, but they were internal organisational roles rather than prescribed persons under the Public Interest Disclosure Act 1998.

3. Does your whistleblowing policy or process guarantee anonymity to individuals who raise a concern? If so, please provide a copy of the relevant section of the policy addressing this.

PSD Scotland, and its predecessor organisations NES and NSS, followed the NHS Scotland National Whistleblowing Standards, which provide that individuals may raise a whistleblowing concern on a named, unnamed or anonymous basis. The Standards include processes to support confidentiality, protect the identity of individuals raising concerns and minimise the risk of deductive disclosure.

However, the policy and process do not provide an absolute guarantee of anonymity in all circumstances. This is because, depending on the nature of the concern or the steps required to investigate it, it may be possible for an individual to be identified. The Standards therefore focus on maintaining confidentiality, protecting identity as far as practicable, and ensuring that information which could identify a whistleblower is not shared unnecessarily.

The relevant sections of the National Whistleblowing Standards are on pages 23 to 25 and are otherwise accessible under section 25 of the Freedom of Information (Scotland) Act 2002 at the following link: [The National Whistleblowing Standards](#).

Former NES also held local staff guidance titled 'Raising whistleblowing concerns', which provides further information in the sections headed "Using the Standards" and "Issues your manager or the confidential contact will ask you". This information is otherwise accessible under section 25 of FOISA at the following link: https://nes.scot.nhs.uk/media/dqyhxdl0/raising_whistleblowing_concerns_23122025.pdf.

Former NES also held a manager's guide titled 'Responding to whistleblowing concerns', which provides further information in the sections headed "What is my role?", "What should I do if someone approaches me with a concern?" and "What do I need to know about the concern?". This guide is attached via: **FOI2026-3408-Annex B**

4. Does your whistleblowing policy include a non-recrimination or non-retaliation provision, protecting whistleblowers from detriment or reprisal as a result of raising a concern? If so, please provide a copy of the relevant section of the policy addressing this.

The National Whistleblowing Standards make clear that individuals should not suffer detriment as a result of raising a concern. The Standards include provisions intended to protect whistleblowers from detriment, victimisation or reprisal, and emphasise that individuals should be supported when raising concerns and should not be disadvantaged for doing so.

The relevant provisions (throughout the Standards) emphasised that individuals raising concerns should be supported, treated fairly and protected from disadvantage as a result of raising a whistleblowing concern.

The relevant section from the National Whistleblowing Standards is available on pages 14-17. This information is otherwise accessible at the following link:

- [The National Whistleblowing Standards.](#)

5. Has your internal whistleblowing policy been subject to any external review, audit, or assessment (by an external body, auditor, regulator, or independent consultant) within the last five years? If so, please provide:

- a) the name of the body/organisation that conducted the review;**
- b) the date of the review; and**
- c) a copy of any resulting report or summary of findings, subject to any applicable exemptions.**

NES as a predecessor organisation of PSD Scotland have been subject to internal audit. This was carried out by KPMG during the period of July – September 2021. The resulting report is attached: **FOI2026-3408-Annex C**

Under Section 38(1)(b) of the FOISA redactions have been carried out on the names of non-senior staff within NES. Individuals have a reasonable expectation that this personal information will not be disclosed.

NSS as a predecessor of PSD Scotland have been subject to external consideration by the Independent National Whistleblowing Officer (INWO) through Stage 3 investigations into individual whistleblowing concerns. These investigations considered the handling of specific concerns rather than constituting a general external audit or review of the Standards.

In August 2022, the INWO laid before the Scottish Parliament an investigation report relating to the handling of an NSS whistleblowing concern raised in 2021/22. This report is publicly available on the INWO [website](#).

In November 2024, the INWO published a decision relating to a whistleblowing concern concerning NSS. This decision is also publicly available on the INWO [website](#).