

TRUST BOARD

Title:	Freedom to Speak Up Guardian Annual Report 2018/19
Action:	FOR DECISION/DISCUSSION/NOTING
Meeting:	10 July 2019

Purpose:

This paper is an annual review of the Trust's raising concerns processes and the role of the Freedom to Speak Up Guardian and Freedom to Speak Up Champions. It will provide members of the Board assurance that concerns raised are robustly managed in line with current best practice. The latest guidance for Boards from the National Guardian's Office and NHS Improvement is attached in [Appendix 1](#).

It is also to benchmark our organisation against the principle recommendations set out in Sir Robert Francis' report in 2014, data submitted quarterly to the National Guardian's Office, the findings of the Freedom to Speak up Guardians National Survey and national staff survey results.

The Trust has also undertaken a refreshed self-assessment which is attached in [Appendix 2](#). The self-assessment shows the rating in July 2018 against the proposed ratings in July 2019.

In 2018, the Trust appointed Freedom to Speak Up Champions as attached in [Appendix 3](#).

The Board is asked to assess the proposed rag rating against the evidence and consider the proposed improvement actions where gaps have been identified in [Annex 1](#)

Appendices:

Appendix 1 - FTSU Guidance for Boards
 Appendix 2 - FTSU Self Review Tool
 Appendix 3 – Meet the FTSU Champions

Recommendation:

The Board is asked:

1. To assess the proposed rag rating in the self-assessment ([Appendix 2](#)) against the evidence and consider improvement actions where gaps have been identified.
2. To note the Freedom to Speak Up Champions now in post.

	Name	Title
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Executive sponsor:	Anita Pisani	Deputy Chief Executive

Trust Objectives

Objective	How the report supports achievement of the Trust objectives:
Provide outstanding care	The report includes an update on raising matters of concern cases which included an element of patient safety/quality of care.
Collaborate with other organisations	The report includes an update on how the FTSU Guardian and the Trust have engaged with the National Guardian's Office and the local network of FTSU Guardians.
Be an excellent employer	The report includes raising concerns in relation to staff morale, wellbeing and welfare.
Be a sustainable organisation	The report includes information on whistleblowing on counter fraud cases.

Trust risk register

Staff Morale

Legal and Regulatory requirements:

- Public Interest Disclosure Order 1999

Equality and Diversity implications:

Objective	How the report supports achievement of objectives:							
Achieve an improvement in the percentage of service users who report that they are able to access the Trust services that they require	Not referenced in the report							
Enhance our approach to involving and capturing the experience of hard to reach / seldom heard / varied community groups	Not referenced in the report							
Using the national 'A Call to Action on Bullying and Aggression', internally take action to promote our Zero tolerance policy and address bullying and aggression when it occurs.	An effective raising concern process is crucial to ensuring that staff are confident about raising concerns in relation to bullying and harassment. The paper highlights staff survey results in relation to bullying and harassment.							
Ensure that the Workforce Race Equality Standard is embedded and undertake proactive work around any areas of under-representation identified. In particular, we will seek innovative methods to have co-opted representation on the Trust Board from more diverse backgrounds.	Not referenced in the report							
Are any of the following protected characteristics impacted by items covered in the paper								
Age	Disability	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

1. Executive Summary

- 1.1 The Freedom to Speak Up Review undertaken by Sir Robert Francis and published in February 2015 was commissioned by the Secretary of State as a result of the failings at Mid Staffordshire. The aim of the report was to provide advice and recommendations to ensure that NHS staff felt safe to raise concerns, were confident that they would be listened to and that concerns would be acted upon. The review identified concerns about the way NHS organisations dealt with concerns raised by NHS staff and the treatment of some of those who had spoken up.
- 1.2 From the evidence, the review identified five overarching themes as follows.
- need for culture change;
 - need for improved handling of cases;
 - need for measures to support good practice
 - need for particular measures for vulnerable groups; and
 - need for extending the legal protection.
- 1.3 As a result of this review, a number of recommendations have now been implemented including:
- the establishment of the National Guardian's Office - an independent, non-statutory body with the remit to lead culture change in the NHS so that speaking up becomes business as usual; and
 - all NHS Organisations are now required to appoint a Freedom to Speak Up Guardian.

National Guardian
Freedom to Speak Up

2. Update of Raising Concerns Programme in 2018/19

- 2.1 The Trust implemented the 'standard integrated policy' which had been adopted in line with recommendations of the review by Sir Robert Francis into whistleblowing in the NHS.
- 2.2 The Freedom to Speak Up Guardian held discussions with leaders from across the Trust in various forums including the Executive Committee and the Wider Executive to discuss 'raising concern' issues within the Trust.
- 2.3 The Freedom to Speak Up Guardian used various channels to communicate the role of the Freedom to Speak Up Function and the importance of raising concerns through the year including:
- Raising Concerns intranet page
 - Speak Up Month in October 2018
 - Introduction of and promoting the Freedom to Speak Up Champions
 - Trust Induction
 - Attendance at JCNP meetings
 - Posters
 - Weekly Comms Cascade
 - Local and service Specific newsletters.
- 2.4 In Line with the best practice recommendations reported to the Board last year, the Freedom to Speak Up Guardian met with the Executive lead and Non-Executive Lead to discuss all cases raised in 2018/19. The meeting was held in May 2019. The main goal of the meeting is to provide oversight that the Trust's systems and processes for speaking up are working effectively.

2.5 Below is information on the cases raised in 2018/19:

Description	Number of Cases
No. of cases were raised to Freedom to Speak Up Guardians/Ambassadors/Champions	12
No. of cases which included an element of patient safety/quality of care.	5
No. of cases which elements of bullying and harassment or treatment of staff by managers.	4
No. of cases raised anonymously	1
No. of cases which related to incidents where the person speaking up may have suffered some form of detriment.	0

Directorate	Number of Cases
Ambulatory Care	3
Luton Children & Adults	6
Cambridgeshire and Norfolk Children	3
Bedfordshire Children	0

2.6 The Freedom to Speak Up Guardian collaborated with the Local Counter Fraud Specialist to ensure both functions are complementing each other where relevant.

2.7 The Freedom to Speak Up Guardian seeks support from the Executive Lead when required. There are no concerns about the support that has been provided.

2.8 The Trust submits data quarterly to the national Guardian's Office on the number and nature of concerns raised.

3. Freedom to Speak Up Champions

3.1 Following the Care Quality Commissions (CQC) inspection in 2018 and the self-assessment undertaken this time last year, the Board agreed to appoint Freedom to Speak Up Champions. The Trust appointed 16 Freedom to Speak Up Champions as attached in Appendix 3.

3.2 In appointing the Freedom to Speak Up Champions, the Trust elected to have an open process which was advertised through internal communications inviting staff to volunteer to become Freedom to Speak Up Champions. All staff who expressed an interest were appointed. Below are some of the highlights from our staff explaining why they were putting themselves forward.

"Up until the past year or so I was always a little reluctant to speak up about concerns for various reasons. However, I have become more confident and will challenge others when required. Working as part of the Trust adhering to their values is very important to me in providing safe, person centred care. Going forward, it would be an achievement to become a champion to advise and support others as well as being an advocate for promoting and implementing the Trust's values."

"I have had some experience of facilitating discussions, and resolution of concerns: on an ad-hoc basis. It would very interesting to discover more the formal structured approach to this."

"I would hope that the number of concerns raised that will need to be passed on to you and recorded on the raising concerns log will be very low from our service - we have robust processes and good communication and relationships that enable those conversations to happen in the course of day to day work. However there may be things that this process may enable people to share - and I would like to be part of ensuring that the Norfolk Healthy Child Programme supports this really important initiative. I would like to model that it is everyone's business to listen to concerns our colleagues raise and show more junior colleagues who may be interested in the role that it is something that we support and welcome as a senior management team."

"I believe that it is essential for all staff to have the feeling of empowerment, to be able to feel that they can approach management, or any member of staff to raise their concerns without fear of reprisal. I think staff members will feel more open to raise issues, if they know that they have a support network, to discuss and guide them. This will help to build an open culture and help us with any service improvements that may be highlighted for our clients and staff."

3.3 The Trust has developed a standardised training package which all the Freedom to speak Up Champions have to undertake.

3.4 We have already started seeing activity through the Freedom to Speak Up Champions since they were appointed including:

- being asked to speak at team meetings about their role;
- being an additional resource for staff who are looking to be signposted to the right support;
- engaging with other champions and guardians in local organisations; and
- concerns raised through Freedom to Speak Up Champions.

3.5 The Trust uses staff survey results as shown below to assess whether the arrangements in place for raising concerns are effective. The Trust score better than average and/or our staff rated the Trust as the best in the country when compared to our peers on the following key findings:

- KF1 – Staff recommendation of the organisation as a place to work or receive treatment
- KF6 – Percentage of staff reporting good communication between senior management and staff
- KF 29 - Percentage of staff reporting errors, near misses or incidents witnessed in the last month
- KF30 - Fairness and effectiveness of procedures for reporting errors, near misses and incidents
- KF31 - Staff confidence and security in reporting unsafe clinical practice
- Overall staff engagement score

4. Benchmarking

4.1 The National Guardian's Office collected data from Freedom to Speak Up Guardians in all Trusts and Foundation Trusts on cases raised with them in 2018/19. This is due to be published in July 2019. Once this is published, the Trust will compare the data and themes against internal data to identify any learning.

4.2 The Trust uses staff survey results to benchmark itself against peer organisations on indicators relevant to raising concerns. The Trust's overall staff engagement score was the best for Community Trusts and joint sixth best nationally at 4.0 out of 5.

4.3 In addition, some concerns are raised locally and dealt with by local managers as part of their day-to-day work. These concerns would not be logged onto the whistleblowing log.

5. Learning and Improvement

5.1 The Trust is committed to continuing to learn and improve its systems and processes for raising concerns. This is done through:

- the annual meeting between the freedom to Speak Up Guardian, executive Lead and non-executive lead
- national case reviews being cascaded through the relevant channels.
- learning events for Freedom to Speak Up Champions to be held going Forward
- working with Staffside
- the improvement action plan presented as part of the annual report.

5.2 Key messages and awareness are raised to all staff through the intranet, weekly communications cascade and other internal communications e.g. screensavers.

5.3 Lessons and feedback on cases are also shared locally with staff via the Service Directors, through team meetings and face-to-face meetings where relevant.

5.4 Below are some key highlights and lessons learnt from the cases raised in 2018/19:

Some concerns raised in Luton in relation to staffing including engagement, staffing pressures, recruitment/retention and induction/training. The Trust was aware of the pressures based on other reporting and the leadership team was working on a plan. As a result, the Luton One Service programme under its People Work stream is focused on looking holistically at staffing issues including collaboration with partners.

Concerns raised through the new Freedom to Speak Up Champions used as case studies to assist the Champions to understand what concerns are dealt with through this process.

Concerns raised by an employee regarding another Trust where they had a placement. This led to learning on how we work with partner organisations when a concern crosses organisational boundaries.

Concern raised through the National Guardian's Office by a former trainee. This allowed the Trust to work collaboratively with the National Guardian's Office and to demonstrate the effectiveness of our processes.

Annex 1 – FTSU Improvement Action Plan 2019/20

Action	Owner	Due Date
Further work to be undertaken in relation to sharing of learning across the Trust including learning events for Freedom to Speak-Up Champions.	Mercy Kusotera	31 Mar 2020
To conduct an annual review of the FTSU strategy, policy and process including introducing a more structured process for testing a sample of cases annually.	Anita Pisani	30 Jun 2020
To include high level, anonymised data relating to speaking up as well as information on actions the Trust is taking to support a positive speaking up culture in 2019/20 annual report.	Mercy Kusotera	30 Jun 2020
To share anonymised case studies and other learning with staff.	Mercy Kusotera	31 Mar 2020