

Freedom to Speak Up self-review tool for NHS Trusts and Foundation Trusts

10 July 2019

How to use this tool

Effective speaking up arrangements help to protect patients and improve the experience of NHS workers. Having a healthy speaking up culture is evidence of a well-led Trust.

NHS Improvement and the National Guardian's Office have published a [guide](#) setting out expectations of boards in relation to Freedom to Speak Up (FTSU) to help boards create a culture that is responsive to feedback and focused on learning and continual improvement.

This self-review tool accompanying the guide will enable boards to carry out in-depth reviews of leadership and governance arrangements in relation to FTSU and identify areas to develop and improve.

The Care Quality Commission (CQC) assesses a Trust's speaking up culture during inspections under key line of enquiry (KLOE) 3 as part of the well-led question. This guide is aligned with the good practice set out in the well-led framework, which contains references to speaking up in KLOE 3 and will be shared with Inspectors as part of the CQC's assessment framework for well-led.

Completing the self-review tool and developing an improvement action plan will help Trusts to evidence their commitment to embedding speaking up and help oversight bodies to evaluate how healthy a Trust's speaking up culture is.

Self review indicator (Aligned to well-led KLOEs)	To what extent is this expectation being met? (2018)	To what extent is this expectation being met? (2019)	What are the principal actions required for development?	How is the board assured it is meeting the expectation? Evidence
Our expectations				
Leaders are knowledgeable about FTSU				
Senior leaders are knowledgeable and up to date about FTSU and the executive and non-executive leads are aware of guidance from the National Guardian's Office.				<p>Model policy adopted</p> <p>Executive Meeting papers</p> <p>Board papers</p> <p>Executive and Non-Executive Lead appointed – Geoff Lambert and Anita Pisani</p> <p>Trust FTSU is a member of the Executive Team – Taff Gidi</p>
Senior leaders can readily articulate the Trust's FTSU vision and key learning from issues that workers have spoken up about and regularly communicate the				<p>CQC Report/Inspections</p> <p>Staff survey results</p> <p>FTSU vision and strategy</p>

value of speaking up.				<p><i>(approved 2018)</i></p> <p>Leadership Forum</p> <p>Wider Exec mins and discussions</p> <p>Staff intranet</p>
They can provide evidence that they have a leadership strategy and development programme that emphasises the importance of learning from issues raised by people who speak up.				<p>CQC Report</p> <p>Human Factors</p> <p>CCS Quality Way</p> <p>CCS Improvement Way</p> <p>QISCOM Papers</p> <p>Board papers</p> <p>Discussed at JCNP</p> <p>Induction</p> <p>CCS Leadership Way</p> <p>Diversity and Inclusion development sessions</p>
Senior leaders can describe the part they played in creating and launching the Trust's FTSU vision and strategy.				<p>FTSU vision and strategy <i>(approved 2018)</i></p>

	Leaders have a structured approach to FTSU			
There is a clear FTSU vision, translated into a robust and realistic strategy that links speaking up with patient safety, staff experience and continuous improvement.				<p>FTSU vision and strategy (<i>approved 2018</i>)</p> <p>FTSU Champions now in place.</p> <p>FTSU Champion training highlights importance of working alongside service leads and other functions to support a culture of speaking up and improving patient/staff experience.</p>
There is an up-to-date speaking up policy that reflects the minimum standards set out by NHS Improvement.				<p>Model policy adopted</p> <p>Reviewed by the Board in July 2018</p> <p>Discussed at Joint Consultative Negotiating Partnership meetings (JCNP)</p>

<p>The FTSU strategy has been developed using a structured approach in collaboration with a range of stakeholders (including the FTSU Guardian) and it aligns with existing guidance from the National Guardian.</p>				<p>FTSU vision and strategy <i>(approved 2018)</i></p> <p>FTSU guardian instrumental in its development and design.</p>
<p>Progress against the strategy and compliance with the policy are regularly reviewed using a range of qualitative and quantitative measures.</p>				<p>Board papers</p> <p>Internal audit reports</p> <p>Counter fraud</p> <p>Discussed at JCNP</p> <p>Annual Oversight meeting with executive and Non-Executive Leads.</p>
<p>Leaders actively shape the speaking up culture</p>				
<p>All senior leaders take an interest in the Trust's speaking up culture and are proactive in developing ideas and initiatives to support speaking up.</p>				<p>Model policy adopted</p> <p>Whistleblowing log</p> <p>Comms Cascade</p> <p>Induction</p> <p>Staff survey results</p> <p>Diversity and Inclusion</p>

				development sessions
They can evidence that they robustly challenge themselves to improve patient safety, and develop a culture of continuous improvement, openness and honesty.				CQC Report Human Factors CCS Quality Way CCS Improvement Way QISCOM Papers Board papers Whistleblowing log Staff survey feedback
Senior leaders are visible, approachable and use a variety of methods to seek and act on feedback from workers.				Back to the floor Staff survey results CQC Report Counter fraud Intranet Policy Comms Cascade

Senior leaders prioritise speaking up and work in partnership with their FTSU Guardian.				<p>Staff survey results</p> <p>CQC Report</p> <p>Whistleblowing log</p> <p>FTSU direct contact with Wider Execs and Board</p>
Senior leaders model speaking up by acknowledging mistakes and making improvements.				<p>Whistleblowing log</p> <p>Staff survey results/feedback</p>
The board can state with confidence that workers know how to speak up; do so with confidence and are treated fairly.				<p>CQC Report</p> <p>Staff survey results</p> <p>Board papers</p> <p>Whistleblowing log</p>
	Leaders are clear about their role and responsibilities			
The Trust has a named executive and a named non-executive director responsible for speaking up and both are clear about their role and responsibility.				<p>Model policy adopted</p> <p>Board papers</p> <p>Executive and Non-Executive lead identified</p>

They, along with the chief executive and chair, meet regularly with the FTSU Guardian and provide appropriate advice and support.				Whistleblowing log FTSU guardian briefs all leads. Look to establish a 5 way review annually.
Other senior leaders support the FTSU Guardian as required.				Whistleblowing log Wider Exec and Trust Board discussions
	Leaders are confident that wider concerns are identified and managed			
Senior leaders have ensured that the FTSU Guardian has ready access to applicable sources of data to enable them to triangulate speaking up issues to proactively identify potential concerns.				Discussed at JCNP Discussed at Leadership Forum and Wider Executive meetings FTSU guardian has access to all Clinical Operational Board papers and all Trust Board reports.
The FTSU Guardian has ready access to senior leaders and others to enable them to escalate patient safety issues rapidly, preserving confidence as appropriate.				Whistleblowing log Executive and Non-Executive Lead appointed Trust FTSU is a member of

				<p>the Executive Team</p> <p>FTSU as discussions with CEO for advice on relevant cases</p> <p>FTSU discusses cases with Service Directors, if required.</p> <p>FTSU guardian has direct access to Chief Nurse and Medical Director – Trust patient safety joint leads.</p>
Leaders receive assurance in a variety of forms				
<p>Workers in all areas know, understand and support the FTSU vision, are aware of the policy and have confidence in the speaking up process.</p>				<p>CQC report</p> <p>Staff survey results</p> <p>Whistleblowing log</p> <p>FTSU vision and strategy (<i>approved 2018</i>)</p> <p>Trust introduced Freedom to Speak-Up Champions.</p>

<p>Steps are taken to identify and remove barriers to speaking up for those in more vulnerable groups, such as Black, Asian or minority ethnic (BAME), workers and agency workers</p>				<p>CQC report Staff survey results Whistleblowing log Cultural Ambassadors Diversity & Inclusion work plan Trust introduced Freedom to Speak-Up Champions.</p>
<p>Speak up issues that raise immediate patient safety concerns are quickly escalated</p>				<p>Whistleblowing log CEO report Trust introduced Freedom to Speak-Up Champions.</p>
<p>Action is taken to address evidence that workers have been victimised as a result of speaking up, regardless of seniority</p>				<p>Whistleblowing log Grievance systems and processes in place to protect</p>
<p>Lessons learnt are shared widely both within relevant service areas and across the Trust</p>			<p>Further work to be undertaken in relation to sharing of learning across the Trust including learning events for Freedom to Speak-Up</p>	<p>Whistleblowing log Intranet Case Reviews.</p>

			Champions.	
The handling of speaking up issues is routinely audited to ensure that the FTSU policy is being implemented				Internal audit reports Counterfraud Board papers Reviewed at JCNP Annual meeting with executive and Non-Executive Leads.
FTSU policies and procedures are reviewed and improved using feedback from workers				JCNP and discussions with Staffside Chair Board papers
The board receives a report, at least every six months, from the FTSU Guardian.				Board papers via CEO report Annual report
	Leaders engage with all relevant stakeholders			
A diverse range of workers' views are sought, heard and acted upon to shape the culture of the organisation in relation				Cultural ambassadors Staff conversations/Culture inquiry sessions and

to speaking up; these are reflected in the FTSU vision and plan.				discussions with staff Corporate induction JCNP discussions Staff survey results Trust introduced Freedom to Speak-Up Champions. These were recruited through an open process.
Issues raised via speaking up are part of the performance data discussed openly with commissioners, CQC and NHS Improvement.				Whistleblowing log CQC inspection reports Discussions between CQC lead and Chief Nurse NHS Improvement performance meetings
Discussion of FTSU matters regularly takes place in the public section of the board meetings (while respecting the confidentiality of individuals).				Board papers via CEO report Annual report
The Trust's annual report contains high level, anonymised data relating to speaking up as well as information on			To include high level, anonymised data relating to speaking up as well as	Annual report FTSU Champions appointed

actions the Trust is taking to support a positive speaking up culture.			information on actions the Trust is taking to support a positive speaking up culture in 2018/19 annual report	
Reviews and audits are shared externally to support improvement elsewhere.				<p>Quarterly data submission to the national Guardian's office.</p> <p>Participation in audits conducted by commissioners and other stakeholders</p>
Senior leaders work openly and positively with regional FTSU Guardians and the National Guardian to continually improve the Trust's speaking up culture				<p>Trust participation in Annual conference</p> <p>Trust active in East of England network</p> <p>Communications with CEO on FTSU role</p> <p>FTSU Guardian works closely and meets with other FTSU Guardians from nearby Trusts.</p>

<p>Senior leaders encourage their FTSU Guardian to develop bilateral relationships with regulators, inspectors and other local FTSU Guardians</p>				<p>Trust participation in Annual conference</p> <p>Trust active in East of England network</p> <p>Communications with CEO on FTSU role</p> <p>CQC Inspection interviews with FTSU Guardian</p>
<p>Senior leaders request external improvement support when required.</p>				<p>Trust participation in Annual conference</p> <p>Trust active in East of England network</p> <p>Guidance and support requested from other FTSU Guardians</p> <p>CQC Report</p> <p>Learning from other Trusts when appointing FTSU Champions.</p>
<p>Leaders are focused on learning and continual improvement</p>				

<p>Senior leaders use speaking up as an opportunity for learning that can be embedded in future practice to deliver better quality care and improve workers' experience.</p>				<p>Whistleblowing log</p> <p>Cultural enquiry workshops</p> <p>Wider executive papers</p> <p>Board papers</p> <p>Leadership forum</p> <p>Staff survey improvement plans – local and trust wide</p>
<p>Senior leaders and the FTSU Guardian engage with other Trusts to identify best practice.</p>				<p>Trust participation in Annual conference</p> <p>Trust active in East of England network</p>
<p>Executive and non-executive leads, and the FTSU Guardian, review all guidance and case review reports from the National Guardian to identify improvement possibilities.</p>				<p>Comms Cascade</p> <p>Board papers</p> <p>Model Policy adopted</p> <p>Executive Team papers</p>
<p>Senior leaders regularly reflect on how they respond to feedback, learn and continually improve and encourage the same throughout the organisation.</p>				<p>CCS Improvement way</p> <p>QISCOM papers</p> <p>Board papers</p>

				<p>Executive meeting papers</p> <p>Audit committee papers</p> <p>Leadership forum</p> <p>Wider executive papers</p> <p>Annual conferences</p>
<p>The executive lead responsible for FTSU reviews the FTSU strategy annually, using a range of qualitative and quantitative measures, to assess what has been achieved and what hasn't; what the barriers have been and how they can be overcome; and whether the right indicators are being used to measure success.</p>			<p>The process for implementing this fully is ongoing.</p>	<p>Annual report</p> <p>Annual Oversight Meeting with Executive and Non-Executive Lead</p>
<p>The FTSU policy and process is reviewed annually to check they are fit for purpose and realistic; up to date; and takes account of feedback from workers who have used them.</p>				<p>Board papers</p> <p>Annual Oversight Meeting with Executive and Non-Executive Lead</p>
<p>A sample of cases is quality assured to ensure:</p>			<p>To introduce a more structured process for testing a sample of cases</p>	<p>Internal audit cycle of business</p>

<ul style="list-style-type: none"> the investigation process is of high quality; that outcomes and recommendations are reasonable and that the impact of change is being measured workers are thanked for speaking up, are kept up to date through out the investigation and are told of the outcome Investigations are independent, fair and objective; recommendations are designed to promote patient safety and learning; and change will be monitored 			annually.	<p>CEO report and feedback to the Board</p> <p>Annual Oversight Meeting with Executive and Non-Executive Lead</p>
<p>Positive outcomes from speaking up cases are promoted and as a result workers are more confident to speak up.</p>			To share anonymised case studies and other learning with staff.	<p>Comms Cascade</p> <p>Board papers</p> <p>Staff survey results</p> <p>National case reviews shared</p>

Individual responsibilities				
Chief executive and chair				
The chief executive is responsible for appointing the FTSU Guardian.				<p>FTSU Appointed</p> <p>Communication with CEO on FTSU role.</p>
The chief executive is accountable for ensuring that FTSU arrangements meet the needs of the workers in their Trust.				<p>Executive discussions</p> <p>CQC Report</p> <p>FTSU Guardian and Champions Appointed</p> <p>Communication with CEO on FTSU role.</p> <p>Executive and Non-Executive Lead appointed.</p> <p>Alternative channels provided for raising concerns.</p>
The chief executive and chair are responsible for ensuring the annual report contains information about FTSU.				Annual report.

<p>The chief executive and chair are responsible for ensuring the Trust is engaged with both the regional Guardian network and the National Guardian's Office.</p>				<p>Trust participation in Annual conference</p> <p>Trust active in East of England network</p> <p>Whistleblowing log</p> <p>Communication with CEO on FTSU role.</p>
<p>Both the chief executive and chair are key sources of advice and support for their FTSU Guardian and meet with them regularly.</p>				<p>Discussions with CEO and Deputy Chief Executive on FTSU cases and role as required.</p> <p>Communication with CEO and Deputy Chief Executive on FTSU role.</p> <p>Annual meeting with Deputy Executive (as Executive Lead) and Non-Executive Lead</p> <p>Annual report</p>
	<p>Executive lead for FTSU</p>			

<p>Ensuring they are aware of latest guidance from National Guardian's Office.</p>				<p>Executive meeting papers Model policy adopted Board papers</p>
<p>Overseeing the creation of the FTSU vision and strategy.</p>				<p>FTSU Vision and strategy Annual meeting with FTSU Guardian.</p>
<p>Ensuring the FTSU Guardian role has been implemented, using a fair recruitment process in accordance with the example job description and other guidance published by the National Guardian.</p>				<p>FTSU job description FTSU objectives</p>
<p>Ensuring that the FTSU Guardian has a suitable amount of ring fenced time and other resources and there is cover for planned and unplanned absence.</p>				<p>FTSU job description and objectives Staff side chair</p>

Ensuring that a sample of speaking up cases have been quality assured.				Whistleblowing log Internal audit
Conducting an annual review of the strategy, policy and process.				Annual report Annual meeting with Executive and Non-Executive Lead.
Operationalising the learning derived from speaking up issues.				Whistleblowing log Leadership Forum papers Wider Executive Team FTSU Champions now in place
Ensuring allegations of detriment are promptly and fairly investigated and acted on.				Whistleblowing log. Communication from the National Guardian's Office of any concerns escalated. Grievance cases

<p>Providing the board with a variety of assurance about the effectiveness of the Trusts strategy, policy and process.</p>				<p>Board papers</p> <p>Staff survey results</p> <p>Audit Committee papers</p> <p>Benchmarking data</p> <p>Annual meeting with Deputy Executive (as Executive Lead) and Non-Executive Lead</p>
	<p>Non-executive lead for FTSU</p>			
<p>Ensuring they are aware of latest guidance from National Guardian's Office.</p>				<p>Model policy adopted</p> <p>Audit committee papers</p> <p>Board papers</p> <p>Counterfraud and internal audit briefings</p>
<p>Holding the Chief Executive, Executive FTSU lead and the board to account for implementing the speaking up strategy.</p>				<p>Model policy adopted</p> <p>Audit committee papers</p> <p>Annual Meeting with FTSU and Executive Lead and Non-Exec lead</p>

				Annual Report
Robustly challenge the board to reflect on whether it could do more to create a culture responsive to feedback and focused on learning and continual improvement.				Model policy adopted Audit committee papers Board papers
Role-modelling high standards of conduct around FTSU.				Model policy adopted Audit committee papers
Acting as an alternative source of advice and support for the FTSU Guardian.				Model policy adopted Audit committee papers
Overseeing speaking up concerns regarding board members.				Model policy adopted Vision and strategy in July 2019.
	Director of Workforce and Service Redesign			
Ensuring that the FTSU Guardian has the support of HR staff and appropriate access to information to enable them to triangulate intelligence from speaking up issues with other information that may be				Whistleblowing log Board papers FTSU is a member of the Executive and Wider

used as measures of FTSU culture or indicators of barriers to speaking up.				Executive Teams. WRES Action Plan Staff survey action plan
Ensuring that HR culture and practice encourage and support speaking up and that learning in relation to workers' experience is disseminated across the Trust.				Staff survey results Cultural ambassadors Leadership forum CQC Report Policies and procedures Records of HR Cases Cultural ambassadors Diversity and Inclusion development programme
Ensuring that workers have the right knowledge, skills and capability to speak up and that managers listen well and respond to issues raised effectively.				FTSU Champions now in place Trust induction Training Comms cascade

				Other awareness raising e.g. screensavers
	Medical Director and Chief Nurse			
Ensuring that the FTSU Guardian has appropriate support and advice on patient safety and safeguarding issues.				Whistleblowing log FTSU is a member of the Executive Team.
Ensuring that effective and, as appropriate, immediate action is taken when potential patient safety issues are highlighted by speaking up.				Whistleblowing log Datix Discussions at Executive, Wider executive and Leadership Forum.
Ensuring learning is operationalised within the teams and departments that they oversee.				Whistleblowing log Datix Board reports

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