Freedom to Speak Up review tool for NHS trusts and foundation trusts

NHS England and NHS Improvement

How to use this tool

1. 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.

2. 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.

3. 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.

4. 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.

Summary of the expectation	How fully do we meet this now?		Evidence to support a 'full' rating	Principal actions required for development
	2020	2021		
Individual executive and non-executive directors can evidence that they behave in a way that encourages workers to speak up. Evidence should demonstrate that they: • understand the impact their behaviour can have on a trust's culture • know what behaviours encourage and inhibit workers from speaking up • test their beliefs about their behaviours using a wide range of feedback • reflect on the feedback and make changes as necessary • constructively and compassionately challenge each other when appropriate behaviour is not displayed			Staff survey results Whistleblowing log tracking progress on concerns raised Model policy adopted Highly visible leadership through regular Trustwide question and answer sessions and service visits and communication channels around the organisation. CQC Report FTSU Board reports Executive lead/FTSU guardian one to one meetings highlight regular discussions on plans for FTSU in the organisation. FTSU Guardian has direct access to the Wider Executive Team and Board.	To continue promoting and publicising the role of our Freedom to Speak Up Champions by providing regular communications to all staff (including volunteers, temporary/ contracted workers and trainees). Further work to capture and share good practice and learning from concerns raised, with the key aim of fostering openness and transparency, such as staff briefings, team meetings and the intranet.
The board can evidence their commitment to creating an open and honest culture by demonstrating: • there are a named executive and non-executive leads responsible for speaking up • speaking up and other cultural issues are included in the board development programme • they welcome workers to speak about their experiences in person at board meetings • the trust has a sustained and			Executive and Non-Executive Leads for FTSU (Anita Pisani and Geoff Lambert) are named in the Trust policy. Contact details are included. FTSU included on six monthly Chief Executive update. Regular discussions on bullying and harassment are held during Joint Consultative Negotiating Partnership (JCNP) meetings. FTSU is a standing agenda item for JCNP. Staff experience shared during staff networks. The Deputy chief Executive is	To support leaders and managers on improving staff experience and ensure a positive culture of speaking up is embedded in all services. Further work to capture and share good practice and learning from concerns raised, with the key aim of fostering openness and transparency, such as staff briefings, team meetings and the intranet. To use local intelligence from exit interviews as an example to understand and support staff and provide additional information on how culture can continue to

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ongoing focus on the reduction of bullying, harassment and incivility • there is a plan to monitor possible detriment to those who have spoken up and a robust process to review claims of detriment if they are made • the trust continually invests in leadership development • the trust regularly evaluates how effective its FTSU Guardian and champion model is • the trust invests in a sustained, creative and engaging communication strategy to tell positive stories about speaking up.			an ally to the BAME network and is accessible to the network chair. Feedback from staff involved in speaking up process is sought and reflected in the policy. FTSU Guardian support staff involved in speaking up. Staff Survey results indicate safe culture. The Trust has the **highest** scores in the national Freedom to Speak Index for the 3rd year in a row. FTSU Guardian job description matched against national FTSU JD. Freedom to speak up champions in place. Case study review Regular FTSU messages shared via Comms Cascade Sharing speaking up stories during speak up month (October).	be improved
The board can evidence it has a comprehensive and up-to-date strategy to improve its FTSU culture. Evidence should demonstrate: • as a minimum – the draft strategy was shared with key stakeholders • the strategy has been discussed and agreed by the board • the strategy is linked to or embedded within other relevant strategies			FTSU vision and strategy agreed by FTSU guardian, Executive, Non-Executive lead and Chair, with input from JCNP Board. The vision was revised to include FTSU communication plans. Approved by JCNP (June 2021). Executive lead/FTSU guardian one to one meetings highlight regular discussions on plans for FTSU in the organisation. FTSU discussed at induction and during	To continue to work with the National Guardians Office to ensure that the Trust learns from national best practice.

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• the board is regularly updated by the executive lead on the progress against the strategy as a whole • the executive lead oversees the regular evaluation of what the strategy has achieved using a range of qualitative and quantitative measures.			senior leadership team meetings Trustwide. FTSU reports to the Board Annual oversight meeting with Executive and Non-Executive leads. Whistleblowing log tracking progress on concerns raised Discussed at Joint Consultative Negotiating Partnership meetings (JCNP) FTSU guardian has access to all Clinical Operational Board papers and all Trust Board Wider	
The executive team can evidence they actively support their FTSU Guardian. Evidence should demonstrate: • they have carefully evaluated whether their Guardian/champions have enough ring-fenced time to carry out all aspects of their role effectively • the Guardian has been given time and resource to complete training and development • there is support available to enable the Guardian to reflect on the emotional aspects of their role • there are regular meetings between the Guardian and key executives as well as the non-executive lead. • individual executives have enabled			Executive lead/FTSU guardian one to one meetings highlight regular discussions on plans for FTSU in the organisation. FTSU guardian discusses cases with Service Directors, if required. FTSU guardian has direct access to Chief Nurse and Medical Director – Trust patient safety joint leads. Regular examples where the guardian has access the Chief Executive, Chief Nurse, other Executives and Service Directors. FTSU guardian is a member of the Executive Team. FTSU guardian supported to attend National Guardian Office (NGO) training, workshops and regional and local FTSU networks.	Further work to capture and share good practice and learning from concerns raised, with the key aim of fostering openness and transparency, such as staff briefings, team meetings and the intranet.

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the Guardian to escalate patient safety matters and to ensure that speaking up cases are progressed in a timely manner • they have enabled the Guardian to have access to anonymised patient safety and employee relations data for triangulation purposes • the Guardian is enabled to develop external relationships and attend National Guardian related events			Formalised triangulation meetings between HR, Service Directors and FTSU to provide further assurance. FTSU Guardian survey report 2020	
Evidence that you have a speaking up policy that reflects the minimum standards set out by NHS Improvement. Evidence should demonstrate: • that the policy is up to date and has been reviewed at least every two years • reviews have been informed by feedback from workers who have spoken up, audits, quality assurance findings and gap analysis against recommendations from the National Guardian.			Reviewed FTSU policy incorporating staff feedback and JCNP recommendations was approved by the Trust Board in July 2020. FTSU guardian sits on the Diversity Network leads meeting Whistleblowing log tracking progress on concerns raised Feedback from staff involved in speaking up process is sought and reflected in the policy. FTSU Guardian support staff involved in speaking up.	
Evidence that the board receive assurance to demonstrate that the speaking up culture is healthy and effective. Evidence should demonstrate: • you receive a variety of assurance • assurance in relation to FTSU is			Feedback from staff involved in speaking up process is sought and reflected in the policy. FTSU Guardian support staff involved in speaking up. Learning events for FTSU Champions in place. Service Directors have regular	Further work to capture and share good practice and learning from concerns raised, with the key aim of fostering openness and transparency, such as staff briefings, team meetings and the intranet.

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appropriately triangulated with assurance in relation to patient experience/safety and worker experience. • you map and assess your assurance to ensure there are no gaps and you flex the amount of assurance you require to suit your current circumstances • you have gathered further assurance during times of change or when there has been a negative outcome of an investigation or inspection • you evaluate gaps in assurance and manage any risks identified, adding them to the trust's risk register where appropriate.			catch-up sessions with FTSU Champions for shared learning. CQC inspection feedback Staff survey results Annual FTSU report Whistleblowing log tracking progress on concerns raised Annual oversight meeting with Executive and Non-Executive Leads. FTSU board reports Annual FTSU report Freedom to Speak Up Index Report Internal Audit Report	To use local intelligence from exit interviews an example to understand and support staff and provide additional information on how culture can continue to be improved.
The board can evidence the Guardian attends board meetings, at least every six months, and presents a comprehensive report.			Trust board paper authored and presented in person by the FTSU guardian twice a year. Included in public section of Trust board. Annual FTSU report	
The board can evidence the FTSU Guardian role has been implemented using a fair recruitment process in accordance with the example job description (JD) and other guidance published by the National Guardian.			FTSU Guardian job description matched against national FTSU JD. CQC inspection feedback (outstanding for Well-led). National Guardian Office FTSU Guardian Survey Report	

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The board can evidence they receive gap analysis in relation to guidance and reports from the National Guardian.			Whistleblowing log tracking progress on concerns raised Six monthly FTSU Trust board paper and JCNP papers.	
The trust can evidence how it has been open and transparent in relation to concerns raised by its workers. Evidence should demonstrate: • discussion with relevant oversight organisation • discussion within relevant peer networks • content in the trust's annual report • content on the trust's website • discussion at the public board • welcoming engagement with the National Guardian and her staff			FTSU guardian sits on the Diversity Network leads meeting 6-monthly paper discussed in Public board. FTSU annual report Discussed at Joint Consultative Negotiating Partnership meetings (JCNP) Staff survey results FTSU Champions in place Internal Audit Report	Further work to capture and share good practice and learning from concerns raised, with the key aim of fostering openness and transparency, such as staff briefings, team meetings and the intranet.
The chair, chief executive, executive lead for FTSU, Non-executive lead for FTSU, HR/OD director, medical director and director of nursing should evidence that they have considered how they meet the various responsibilities associated with their role as part of their appraisal.			Annual oversight meeting with Executive and Non-Executive Leads. Executive and Non-Executive Lead appointed with responsibilities articulated. FTSU guardian has direct access to Chief Nurse and Medical Director – Trust patient safety joint leads.	