

## TRUST BOARD (PUBLIC)

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Title:	<b>Freedom to Speak Up Guardian Annual Report 2020/21</b>
Action:	<b>FOR DECISION/DISCUSSION/NOTING</b>
Meeting:	<b>18<sup>th</sup> May 2022</b>

### 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 provides the Board assurance that concerns raised are robustly managed in line with current best practice.

It is also to benchmark the Trust 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 2020 and the Freedom to Speak Up Index Report 2020.

The Trust has also undertaken a refreshed self-assessment which is attached in **Appendix 1**. The self-assessment shows the rating in July 2021 against the proposed ratings in May 2022.

During 2021/22, the Trust had 19 Freedom to Speak Up Champions attached in **Appendix 2**.

Nationally, the Trust has scored the **highest** scores for raising concerns for the past three consecutive years. The Staff Survey results for 2021, showed that the Trust was the highest rated Community Trust for 'We have a Voice that Counts.'

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 - Freedom to Speak Up Self Review Tool

Appendix 2 - Meet the FTSU Champions

### Recommendation:

The Board is asked:

1. To assess the proposed rag rating in the self-assessment (*Appendix 1*) against the evidence and consider improvement actions (*Annex 1*) where gaps have been identified.
2. To note the content of this annual report.

	Name	Title
Author:	Mercy Kusotera	Trust Secretary and Freedom to speak Up Guardian
Executive sponsor:	Anita Pisani	Deputy Chief Executive



## 1. Executive Summary

- 1.1 The purpose of this report is to provide the Board with an overview of the Freedom to Speak Up (FTSU) activity during 2021/22 and plans for 2022/23.
- 1.2 The purpose of creating a speaking up culture is to keep our patients safe, improve the working environment of staff and to promote learning and improvement. The staff survey results 2021 and previous years confirm that the Trust has a safe culture; we will keep on building on that positive culture.
- 1.3 The global Covid-19 pandemic enabled us to introduce more speaking up channels as we maximised the use of the virtual platform to talk directly with staff on a regular basis. Staff continued to raise concerns during the pandemic through our more formal FTSU routes; however, speaking up arrangements were also adapted in response to the pandemic. Lots of concerns/questions were able to be raised directly with Executive team members during live question and answer sessions with staff or via a dedicated Incident Management Team (IMT) email address that the Trust had set up to support its Incident Control Centre. In addition, Service Directors have regular sitrep meetings with their direct reports where issues/concerns are also discussed and addressed directly.
- 1.4 These concerns/queries were then discussed in IMT meetings as appropriate or addressed directly during the live sessions. Feedback was regularly shared across the whole Trust via our frequently asked questions document. Staff were also openly encouraged to raise concerns about anything through the freedom to speak function.
- 1.5 Executive team members have also attended service operational management teams; team meetings; daily sitrep calls within services; huddles and general staff conversations as and when required so that any concerns/issues raised could be directly discussed and resolved directly and quickly. One to one conversations were also arranged with individual executive team members as required especially when we were undertaking covid risk assessments and working on the mandation of the covid vaccine.
- 1.6 The Trust also has three staff networks namely: Cultural Diversity network launched in July 2020, Long Term Conditions and Disability network launched in April 2021 and the LGBTQIA+ network launched in July 2021. These networks provide additional opportunities for staff to share stories and to raise and discuss any concerns. During staff network meetings, some staff directly raise their concerns, and these are then openly addressed during the meeting or followed up outside as appropriate. These networks continue to provide a safe space for our staff to share their stories and/or raise any concerns that they may have.
- 1.7 In January 2021 the Trust took on the Lead Provider role for Large Scale Vaccination services across Cambridgeshire & Peterborough and Norfolk & Waveney. This led to the Trust increasing its workforce by around 2000 and also enables our centres to be supported by around 4000 volunteers. We made specific efforts to ensure that our FTSU systems and processes were promoted to this new workforce and ensured that FTSU was one of the key areas covered during their staff induction. This enabled mass vaccination staff to speak up about any concerns they had and is evidence by some large scale vaccination raising concerns. Key themes included:
  - Working patterns including shift arrangements
  - Communication
  - Volunteer arrangements
- 1.8 During 2021/22, the Trust FTSU Guardian (FTSUG) continued to use various channels to communicate the role of the FTSU function and the importance of raising concerns; these included:

- Raising Concerns intranet page
- Speak Up Month in October 2021
- Promoting the Freedom to Speak Up Champions and recruiting new champions
- Attendance at Joint Consultative Negotiating Partnership (JCNP) meetings
- Freedom to speak up posters
- Regular updates on FTSU via Comms Cascade
- Trust staff networks.

1.9 The FTSUG continues to be an active contributor to the work from the National Guardian Office (NGO). Part of this work is to submit and support requirements from the NGO. These include quarterly submissions, census information and other surveys.

1.10 The Board is asked to note the content of this annual report and to take account of the guidance issued for Boards by NHS England and NHS Improvement.

## **2. Freedom to Speak Up Accountability Arrangements**

2.1 The Trust is committed to providing outstanding care to service users and to being an excellent employer. We focus on providing an environment where our staff are able to achieve the highest standards of conduct, openness, and accountability. The Chief Executive is accountable for ensuring that FTSU arrangements meet the needs of the staff across the Trust. The Deputy Chief Executive is the Executive Lead for FTSU and she provides leadership and oversees the supportive arrangements for speaking up within the Trust. The FTSU independent Non-Executive Director (NED) acts as an independent advisor and is available to the FTSU Guardian and the Deputy Chief Executive to seek second opinions and support as required.

2.2 The FTSU Guardian has direct access to the Chief Executive and Lead Executive for FTSU; she seeks support from the Executive Lead when required. There are no concerns about the support that has been provided to the Guardian during the reporting period.

## **3. Freedom to Speak Up Champions**

3.1 The Trust created the FTSU Champion role in 2018 to work with the Freedom to Speak Up Guardian. FTSU Champions play a key role in supporting staff to raise concerns at the earliest opportunity and ensure that staff who raise concerns are treated fairly.

3.2 During 2021/22 the Trust had **19** FTSU champions across the various services; all were appointed through an open invitation for expressions of interest from staff. All staff who expressed an interest in becoming champions were appointed and all received training delivered by the Trust Secretary and FTSU Guardian and Deputy Director of Workforce.

## **4. Freedom to Speak Up Reporting**

4.1 FTSU Guardian reports to the Trust Board on a six-monthly basis through the Chief Executives report. These reports update the Board on Freedom to Speak Up activities. Quarterly data returns are made to the National Guardian Office and the information from all trusts making submissions is published on the National Guardian's website: <https://www.nationalguardian.org.uk/>

4.2 The data to be reported includes the following:

- Total number of cases reported
- Number of concerns:
  - raised anonymously
  - with an element of patient safety/quality of care
  - with an element of worker safety

- elements of behaviour including bullying and harassment
- Number of incidents where disadvantageous and or demeaning treatment (often referred to as detriment) is identified as a result of speaking up.

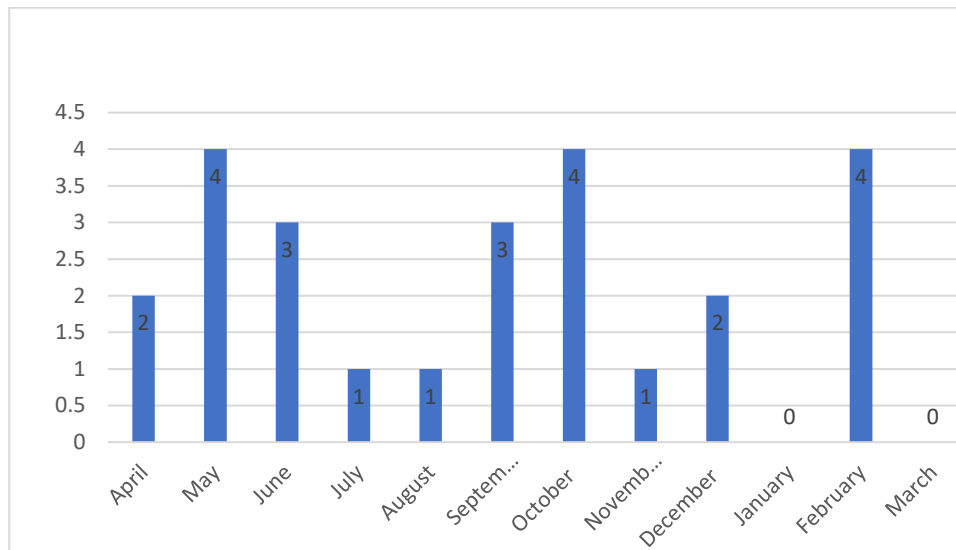
## **5. Update of Raising Concerns Programme in 2021/22**

- 5.1 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. The Trust's Whistleblowing/Speaking Up Policy was updated in December 2019 to include a Raising Concerns Standard Operating Procedure which would be followed for any raised concerns that involve members of staff. The revised policy was approved by the Board in July 2020.
- 5.2 Internal Audit undertook a review of our speaking up processes for 2020/21 to enable the Trust to take assurance over the arrangements in place for raising concerns through the 'Speaking Up' route and whether the processes to do so had been communicated to staff for raising concerns internally. The review confirmed that controls to manage FTSU were generally well designed and complied with. The Trust had in place guidance for raising concerns and these were communicated to staff across the Trust. This audit received reasonable assurance. All the recommendations from FTSU internal audit carried out in 2020/21 have been implemented.

## **6. Freedom to Speak Up Concerns for 2021/22**

- 6.1 In Line with best practice recommendations from the Trust Board, a FTSU the Executive Lead (Anita Pisani), Non-Executive Lead (Geoff Lambert) for FTSU and the Trust FTSU Guardian held a meeting on 9<sup>th</sup> May 2022 to discuss themes and any learning from FTSU concerns raised during 2021/22. A FTSU learning event is also scheduled for 28<sup>th</sup> June 2022 with our FTSU champions. The main goal of the session was to provide oversight that the Trust's systems and processes for speaking up were working effectively and to share learning.
- 6.2 During this reporting period, 2021/22, 25 concerns were reported using our Freedom to Speak Up processes which is the same as the previous year. No staff reported experiencing a detriment as a result of speaking up. However, it should be noted that the number of concerns raised directly via other routes (IMT, staff networks and service question and answer sessions) is substantially higher than the 25 cases which were formally raised via 'normal' speaking up channel. The Trust Board can be assured that our staff have many routes to raise/discuss their concerns and we have lots of evidence in place that they do.
- 6.3 The tables below provide a summary of the number of cases raised from April 2021 to March 2022.

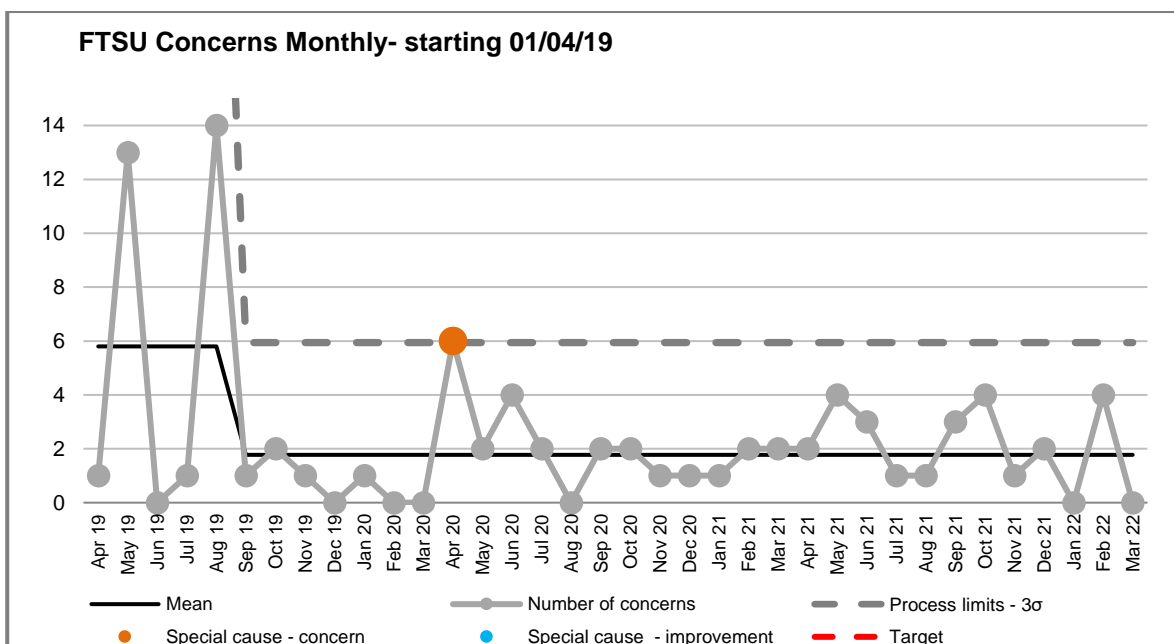
### FTSU Concerns raised during April 2021 – March 2022



6.4 Reviews for each concern are independent, fair, and objective. Recommendations are reasonable and designed to promote staff and patient safety and learning. All the concerns raised during 2021/22 were reviewed and closed.

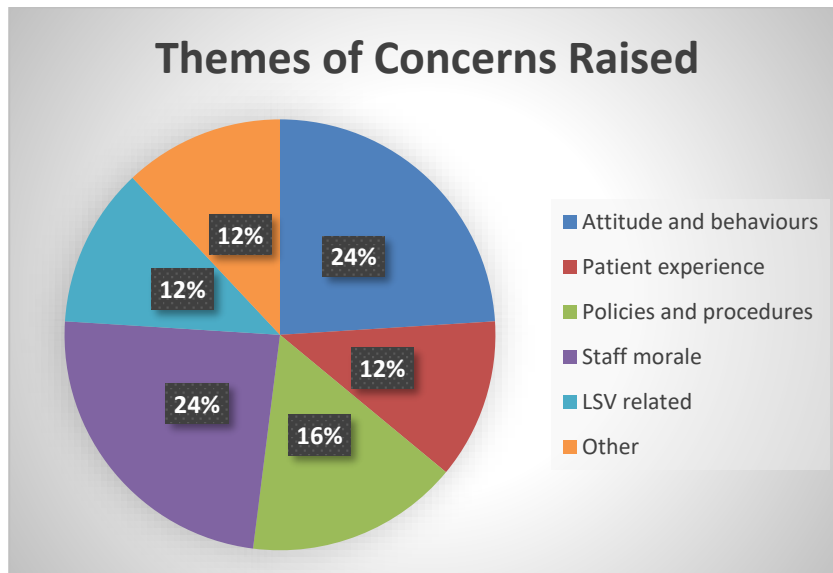
6.5 The Statistical Process Control (SPC) chart below compares the number of concerns raised monthly from April 2019 to March 2022. The numbers in the lower series are quite low apart from August 2019 which had 14 concerns recorded. The mean, when re-calculated after August 2019 spike shows that the process was very stable, with only one orange point (April 2020) above the process limit.

### FTSU Statistical Process Control Chart: April 2019 – March 2022



## 7. Themes of concerns

- 7.1 The chart below summarises the key themes for concerns raised from April 2021 to March 2022. The most prevalent themes related to attitude and behaviours and staff morale. Concerns relating to attitude and behaviours tend to originate from poor communication between staff and line manager or person in seniority.



- 7.2 Overall, the pandemic has had an impact on staff morale, for example, in December 2021 staff were redeployed into Large Scale Vaccination sites. This meant some teams had reduced capacity. Most services continue to experience the impact of the longevity of the pandemic on the health and wellbeing and morale of staff. These issues continue to be reviewed and discussed as part of the Trust weekly incident management and executive team meetings.
- 7.3 In 2022/23, we will continue to promote and improve visibility of our FTSU Champions Trust wide. We will continue to work in collaboration with our Service Directors, staff networks and Cultural Ambassadors to ensure all staff feel confident and safe to speak up. We will also explore how networks, for example could help staff to raise concerns early. We are also continuing with our executive team question and answer virtual sessions across all of our services – clinical and non-clinical.

## 8. Benchmarking

- 8.1 In 2021, the National Guardian Office also conducted a FTSUG survey to provide guardians insight into the implementation of the FTSUG role and this could be improved. The report was published on 21<sup>st</sup> March 2022.
- 8.2 The following table includes some of the key headlines from the survey and how the Trust compares to identified areas in the survey:

Theme	National data	CCS
Guardian appointment	77% of respondents said they were appointed to their role through fair and open competition.	Trust FTSUG appointment was through fair and open competition.

Demographics of FTSU guardians	15.2% of the respondents were from an ethnic minority background, up from 9.1% in 2020.	Trust FTSUG is from an ethnic minority group.
Ring-fenced time	Two-thirds of the respondents had ring-fenced time to carry out their role.	Trust FTSUG has ring-fenced time to carry out the guardian role. Fundamental part of the job role.
Speaking up culture	74.3% of the respondents thought that the speaking up culture in the organisation(s) they support had improved over the last year. 62.8% of the respondents said their organisation had a positive culture of speaking up, down 5% compared to 2020.	Nationally, the Trust has scored the highest scores for raising concerns for the past three consecutive years. The Staff Survey results for 2021, showed that the Trust was the highest rated Community Trust for 'We have a Voice that Counts.'
Engagement of Board members (or equivalent) in FTSU matters	68.4% of respondents rated this good or excellent.	The FTSUG has direct access and support from the chief executive, deputy chief executive and the non-executive director responsible for speaking up. She is also able to link directly with all other Board members as needed.
Value and support for FTSU guardians	There was a 3.3% increase from 2020 to 2021 respondents agreeing that they felt valued by managers.	The FTSUG receives support from Trust leadership and is invited to attend service team meetings regularly.
Speaking up training for workers	79.5% of respondents said speaking up training was available for workers at the organisation(s) they supported.	FTSU is part of the Trust induction. The Trust has also launched the FTSU e-learning package produced by the NGO for all staff. This training has now been added to all employee's mandatory training competency matrix.
Barriers to speaking up	75.3% of the respondents said action was being taken to tackle barriers to speak up. However, one in ten (11.3%) respondents said action had not been taken.	The Trust has a three staff networks: the Cultural Diversity, Long term conditions & Disability and LGBTQIA+ networks. These networks provide additional opportunities for groups of staff who may face barriers to speaking up. Plus access to FTSUG and Champions and direct access to executive team members via regular Q&A virtual conversations.



<p>Disadvantageous treatment for speaking up</p>	<p>Respondents perceived that fear of retaliation/suffering as a result of speaking up and concerns that nothing will be done were key barriers to speaking up in the organisation(s) they supported, with 69.0% of respondents saying that fear of retaliation/suffering due to speaking up had an impact on speaking up and 58.4% saying the same for the concern that nothing will be done in response to speaking up.</p>	<p>No detriment has been reported during 2021/22.</p>
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## 9. Feedback

9.1 Feedback is an important part of the speaking up process. Apart from some anonymous concerns where no contact details were provided, all workers who raised concerns during 2021/22 have been provided with feedback on the outcome of the matters they raised. Similarly, feedback has been sought from workers about their speaking up experience. The speech bubbles below show some of the feedback received from staff who raised their concerns during the reporting period:

Q: Did you feel that you were treated with respect and kindness during the process of speaking up?

A: Yes, more than ever. I felt that this was the first time I had received such kindness, which is a rather a sad thing to

Q: If someone else was concerned or nervous about speaking up what would you tell them?

A: Don't be nervous, just share your thought and this will be taken further if

Q: Do you have anything that you are worried about because you have spoken up that we

A: No, I was worried about confidentiality but was assured that what had been discussed was in

Q: Were you given regular and timely updates?

A: Yes, it was handled well by the team

Q: Given your experience would you speak up again?

A: Yes, I think it is a really good process in place

Q: Given your experience would you speak up again?

A: Yes, I felt supported and listened to from the 1st phone call.

9.2 The Board can take assurance that the Trust has a safe culture for speaking up and learning is captured from all the concerns raised and feedback received.

## 10. Learning and Improvement

- 10.1 The Trust is committed to continuing to learn and improve its systems and processes for raising concerns. All concerns raised during the reporting period were responded to on time and learning captured. Examples of learning outcomes include:
- **FTSU Champions role** – Enhanced visibility of the Champions Trust wide. Service Directors work closely with the FTSU Champions across services.
  - **HR processes** – Revision to some policies and procedures to ensure they support our just and learning culture and also remain fit for purpose.
  - **Staff voice** – Encouraging staff to share their lived experience. Staff networks provide a safe place for staff to share their stories.
- The annual meeting between the FTSU Guardian, Executive Lead and Non-Executive lead
  - Learning events for FTSU Champions to be held going forward
  - Working with our local and regional staff side colleagues
  - Seeking feedback from those that raise concerns and those involved in the FTSU systems and processes
  - Supporting our staff networks by encouraging staff to share their lived experience with the Trust
  - The improvement action plan presented as part of the annual report.
- 10.2 Key messages and awareness are raised to all staff through the intranet, communications cascade, and other internal communications e.g., screensavers.
- 10.3 Externally, the FTSU Guardian and the Trust have benefited from engaging with East of England Regional Network of Guardians and sharing learning.
- 10.4 The following learning points were identified from concerns raised during 2021/22:
- Ensuring that national guidance on Covid 19 was being followed across Trust services; processes regularly updated, and staff reminded on any changes.
  - Reiteration of key messages to staff re- information relating to PPE, social distancing and ensuring Trust offices and workplaces were compliant with national guidance.
  - Ensuring that emotional and wellbeing support is available to all staff who are involved in speaking up processes.
  - Supporting managers on handling staff pressure and ensure the Trust continues to provide outstanding care to patients and support to staff.

## Annex 1 – FTSU Improvement Action Plan 2020/21

Improvement Action Plan 2021/22	Owner	Status
To share anonymised case studies and other learning with staff. Case reviews for shared learning.	Mercy Kusotera	Ongoing
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).	Mercy Kusotera	Complete
To use local intelligence from exit interviews as way of example to understand and support staff and provide additional information on how culture can continue to be improved	Anita Pisani Mercy Kusotera	Ongoing
Improvement Action Plan 2022/23		
To promote Freedom to Speak Up e-learning for managers and leaders including Executive and Non-Executive Directors.	Anita Pisani Mercy Kusotera	
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.	Mercy Kusotera	
To support leaders and managers on improving staff experience and ensure a positive culture of speaking up is embedded in all services.	Anita Pisani	
To continue to work with the National Guardians Office to ensure that the Trust learns from national best practice.	Mercy Kusotera	
To continue to work with the local FTSU and regional networks to ensure that the FTSU processes are aligned to ICS development.	Mercy Kusotera	
To work with Deputy Director of Workforce to improve our exit interview systems and processes.	Mercy Kusotera Angela Hartley	