

Board of Directors

SUMMARY REPORT

Meeting Date: 24 May 2023
Agenda Item: 20

Report Title:	Freedom to Speak Up (FTSU) Guardian Annual Report 2022-23	
Author(s):	Wendy Fowler, Freedom to Speak Up Guardian	
Accountable Director:	Deborah Lawrenson, Director of Corporate Governance	
Other meetings this paper has been presented to or previously agreed at:	Committee/Tier 2 Group/Tier 3 Group	People Committee Quality Assurance Committee
	Date:	9 May and 10 May 2023
Key points/recommendations from those meetings	<ul style="list-style-type: none"> To include learning from FTSU and actions taken To highlight that staff can seek advice from the FTSU Champions who are a diverse group of staff Minor changes format, name changes Where issues were raised to make it explicit that they were addressed 	

Summary of key points in report

The purpose of the report is to provide the Board with the opportunity to hear directly from the Freedom to Speak Up Guardian about the position relating to FTSU within the Trust during April 2022 to March 2023, including:

- continued focus on local resolution, responsiveness and organisational learning from FTSU concerns
- continued commitment to raise the profile of the FTSU Guardian and promotion of a culture that actively encourages raising concerns
- thematic analysis and learning from 2022/23 from FTSU concerns raised

Appendices attached:

- National Guardians Key Activity (links)
- FTSU Ambition and Strategy

Recommendation for the Board/Committee to consider:

Consider for Action		Approval		Assurance	X	Information	x
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The Board is asked to receive and note the annual Freedom to Speak Up Guardian report and planned activity for 2023/24.

Please identify which strategic priorities will be impacted by this report:					
Recover services and improve efficiency	Yes	x	No		
Continuous quality improvement	Yes	x	No		
Transformation – Changing things that will make a difference	Yes	x	No		
Partnerships – working together to make a bigger impact	Yes		No		
Is this report relevant to compliance with any key standards ? State specific standard					
Care Quality Commission Fundamental Standards	Yes	x	No		As the FTSU system exists to provide opportunity for concerns to be raised across the range of services we provide, a large number of fundamental standards could potentially relate to the matters raised.
Data Security and Protection Toolkit	Yes		No	x	
Any other specific standard?				x	
Have these areas been considered? YES/NO				If Yes, what are the implications or the impact? If no, please explain why	
Service User and Carer Safety Engagement and Experience	Yes	x	No		Both the service user and staff experience are key factors in the raising of concerns to the FTSU Guardian. EDI matters are always taken into account for all FTSU concerns received; and the arrangements in place support the workforce in raising concerns.
Financial (revenue & capital)	Yes		No	x	
Organisational Development /Workforce	Yes	x	No		
Equality, Diversity & Inclusion	Yes	x	No		
Legal	Yes		No	x	
Sustainability	Yes		No	x	

Section 1: Analysis and supporting detail

Background information and recent updates from the National Guardians Office

- 1.1 The National Guardian's Office (NGO) is an independent body sponsored by the Care Quality Commission (QCQ) and NHS England to support, strengthen, and develop Freedom to Speak Up. Please see Appendix 1 for an overview of the work and recent guidance.

Reporting and Information Sharing by the FTSU Guardian

- 1.2 The FTSU Guardian meets regularly with the Chief Executive, Chair, Non-Executive Director lead for Freedom to Speak Up and Director of Corporate Governance to discuss any issues and to share themes coming through FTSU.

Presently FTSU Reports are submitted to the People Committee, Audit & Risk Committee, Quality Assurance Committee and the Board. The reporting structure will be reviewed in 2022/2023 to ensure that it is effective. Reports will be provided every six months.

Actions taken to develop and embed speaking up at SHSC during 2022/23

- 1.3
- FTSU Champions have been introduced into the organisation and have been promoted on Jarvis, Connect and during inductions for new starters.
 - The FTSU Guardian co-created a FTSU ambition and strategy. (Appendix 2)
 - FTSU "speak up" training is now mandatory and has been promoted.
 - Promotional information has been published in connect, the trust electronic newsletter
 - The Executive lead for FTSU has facilitated the Board of Directors self-reflection and areas will be agreed where the board will keep specific focus on which will be aligned to the FTSU Strategy actions 2023/24.
 - Various events were held during October speak up month
 - The Guardian collaborated with the Head of Procurement to raise awareness with contractors working on behalf of SHSC on how to raise a concern through the FTSU Guardian
 - SHSC FTSU "speaking up" policy has been adapted in line with the nationally prescribed template.

Staff Experience of Speaking Up and barriers to speaking up

- 1.4 Everyone who raises a concern is asked to feedback about their experience and this is done verbally and through an anonymous survey. Feedback from the anonymous FTSU survey for the financial year 2022/2023 is still incomplete and will be updated in due course. The feedback from the anonymous survey so far is as follows:

All responses indicated that given their experience of speaking up they would feel safe to raise a concern again through the FTSU Guardian.

Out of 14 responses, 7 responded that they felt their concerns were 'taken seriously' while 5 responded 'partly' and 2 responded that they felt the trust had 'not taken their concern seriously'.

Out of the 13 responses, 4 responded that their concern had been resolved, 5 responded it had not been resolved, and 4 responded it had been resolved in part (as the response to the survey is anonymous it is not possible to know which cases these refer to however all those raising concerns are invited to contact the Guardian directly to resolve any issues).

The three top reasons for staff using the FTSU Guardian were that:

- the concerns effected more than just their team
- staff did not feel safe in speaking up
- staff believed they would suffer detriment by speaking up

Detriment

Although nobody in the anonymous survey reported suffering detriment by speaking up, 5 staff members have reported being treated differently as a result of speaking up.

The FTSU Guardian is working with some staff to look at how best to address the issue of suffering detriment. Not all staff have confidence that further detriment will not occur if it is raised formally. The FTSU Guardian will always offer support to anyone who believes they have been treated differently due to speaking up to see how best to investigate the issue and/or offer support.

There is a newly created pilot where the FTSU Guardian can refer any case where there are serious allegations of detriment to HR to be investigated further.

Most staff who approach the FTSU Guardian with concerns believe they will suffer detriment should they raise it in their workplace. As such the Guardian raises the majority of concerns on behalf of staff rather than supporting them to do so.

The diverse group of FTSU Champions offer greater choice for staff to who to speak up to which hopefully encourages more people to come forward should they need to.

Concerns Raised and Concern category

- 1.5 There were 98 FTSU concerns raised in the financial year of 2022/23 compared to 72 concerns raised in the previous financial year. A concern is recorded regardless of whether any formal action is required. Therefore, some concerns recorded are where the FTSU Guardian has been contacted by a staff member for advice, signposting or the person who contacts doesn't want to pursue the matter further.

Figure 2 shows all the concerns raised through the FTSU Guardian by their category. All concerns received are labelled by their primary category and a second one is sometimes identified. The three most reported categories in 2022/23 were:

- systems and processes
- patient safety/quality
- worker safety and wellbeing

These themes are similar to previous years with the exception of a newly collected category of worker safety and wellbeing which replaced cultural concerns in the number raised.

Initial contact was made via an e-mail, telephone call or meeting, within two working days unless the FTSU Guardian was on leave, in which case an alternative contact

person was provided for any urgent concerns.

Figure 2 - Concerns raised by category.

Concern by category	Primary Category 2022/23	Secondary Category 2022/23
Systems and Process	32	8
Patient Safety/Quality	25	6
Worker Safety and Wellbeing	12	17
Cultural	9	6
Other inappropriate attitudes or behaviours	8	2
Leadership/Management	4	0
Bullying and Harassment	4	0
Other	4	0

Themes, learning and actions arising from FTSU concerns raised in 2022/23

Q1-4 2022/23

General Issues

- 1.6 Concerns raised or discussed with the FTSU Guardian are wide ranging from safety/ quality, systemic, relational, cultural and environmental. There has been an increase in the number of concerns requiring further investigation and these account to approximately half of the concerns received by the FTSU Guardian. For concerns that were not investigated further the FTSU Guardian offered advice, support or facilitated and action such as signposting or passing on information.

The majority of concerns raised through the FTSU Guardian were already known about in the trust. However, the concerns raised often gave richer information which helped with addressing the issues and deciding ways forward. Where a team spoke up about a specific issue that was impacting several staff, the management team organised a listening event to get a better understanding of the issues faced. There are several examples of where concerns raised enabled potential issues to be addressed early before harm occurred. A forty eight hour report was requested and duty of candour was applied after a staff member raised a FTSU concern. All service user safety concerns were picked up very quickly in order to assess risk and as a result of one concern a safeguarding alert was raised. There was local learning where concerns raised in teams

The FTSU works closely with the Executive Director of Nursing and Professions and Executive Director of Operations Transformation which enables more effective information sharing and learning. It also helps to address some of the inconsistencies to how concerns are responded to and how we listen to staff when they speak up in their workplace. This issue will be further addressed in the FTSU Ambition and Strategy.

Patient Safety/Quality

There has been an increase in concerns raised about patient safety/quality from last year. Several of these included concerns about low staffing levels and the knock-on effects this has on safe/quality of care, worker stress and safety. In most circumstances the concerns were known about and there was already a lot of work happening in

directorates to address these issues. However, having the concern raised helped us to further investigate the issues and put more support in where needed. Actions varied from making environmental changes, leadership, training, support, emphasis on well being and system changes. Where possible learning was identified and shared.

Where concerns were about individual service user care, all cases were investigated and assessed for any safeguarding considerations and local learning.

Worker Safety and Wellbeing

The issues raised in relation to worker safety and wellbeing often overlapped with other categories. Where there were issues in clinical areas with patient safety/quality, worker wellbeing tended to be reduced. Poor staffing, relationship breakdowns/ feeling bullied and being in an HR process all had an impact on reported levels of staff wellbeing.

Other inappropriate behaviours

There has been an increase in staff reporting bullying behaviour or other inappropriate attitudes or behaviours. Some staff were very reluctant to raise issues formally as they were concerned about the repercussions. Other staff left and raised issues through exit interviews with senior staff. In most of the cases reported, the impact on their wellbeing was significant and having a supportive line manager/or other supportive supervisor made a positive difference.

Concerns were raised where staff felt some managers were not displaying the values of the trust and in several cases, staff felt that they witnessed discrimination or had been discriminated against due to ethnicity or disability. Staff were supported to raise this further and where this did not happen, we agreed what information could be passed onto senior colleagues.

Systems and Process

Concerns raised about systems and processes were often in regard to where staff felt that policies were not fair or they did not understand why certain changes had happened or certain policies were perceived not to be working. In all these cases the FTSU Guardian either gave advice or facilitated communication with the appropriate person/department. In addition to managers identifying local learning there was some wider learning from concerns raised. An example being a commitment to include learning from a FTSU concern raised in the review of the Promoting Attendance policy which is due in 2023.

One concern was raised proactively about a planned service change. This was about the potential impact on service users and the need for an effective plan to communicate with service users, carers, stakeholders, and staff as some service users will be negatively impacted with the uncertainty of the change.

Cultural Issues

Several concerns were raised where staff did not feel listened to, or they felt there were unfair decisions made and found it hard to challenge this due to the culture. Advice and support was offered by the FTSU Guardian and where, with agreement, issues were raised.

Some staff feel that there is still a culture of blame when things go wrong and that success is not always celebrated.

- 1.7 There has been concerns raised about the ease and length of time it takes for reasonable adjustments to be organised and the impact on the individuals due to the delay. The information shared helped the trust to improve its systems in addressing these issues, especially around onboarding new starters
- When staff speak up in the workplace then, at times, there have not been timely responses. This can be very damaging to moral and staff relationships.

Next Steps

- The FTSU Guardian will seek to implement the newly developed FTSU Ambition and Strategy which will be monitored formally through the People Committee and then to the Board of Directors each year.
- The FTSU Guardian will continue to work closely with the Director of Operations and Transformation and the Director of Nursing and Professions with clinical concerns which enables more effective information sharing and effective responses.
- The FTSU Guardian will continue to attend the newly formed Learning from Experience Group with to help with triangulating information and share learning themes, some or which will be then published in the safety bulletin which is widely published.
- FTSU will now report to Quality Committee and People Committee twice yearly.

In summary

FTSU continues to be embedded in the organisation and having a FTSU ambition and strategy will really help to strengthen and develop speaking up in the trust. The newly adapted national policy should give clarity to staff to what to expect if they speak up and give them confidence to do so.

Section 2: Risks

- 2.1 Work to implement the FTSU Ambition and Strategy and the intelligence gained from concerns raised will help to identify cultural issues and in responding to concerns it will give the opportunity for the organisation to meaningfully engage staff. The FTSU Guardian also promotes a culture of openness and transparency. The work of the FTSU Guardian and, developing a strong speak up culture, should help to mitigate BAF Risk 0013 & 0020

Section 3: Assurance

- 3.1 The information provided within this report seeks to demonstrate the active presence of FTSU within the organisation, its ongoing development, and efforts to respond to matters raised.

Triangulation

The FTSU Guardian will continue to work closely with the Director of Operations and

Transformation and the Director of Nursing and Professions with clinical concerns which enables more effective information sharing and effective responses.

The FTSU Guardian attends the newly formed Learning from Experience Group which will help to share learning and themes from FTSU will be published in the safety bulletin.

Engagement

The FTSU Guardian consulted a wide range of staff in the development of the FTSU Ambition and Strategy.

Section 4: Implications

Strategic Priorities and Board Assurance Framework

4.1 FTSU applies to all strategic areas

1. Recover services and improve efficiency
2. Continuous quality improvement
3. Transformation - Changing things that will make a difference
4. Partnerships – Working together to have a bigger impact

4.2 Strengthening speaking up culture positively affects all aspects of safety and ensuring that all staff “ have a voice that counts”.

Equalities, diversity and inclusion

4.3 FTSU concerns received are shared with the Director of Equality, Diversity & Inclusion

Culture and People

4.4 None directly arising from this report. The work for the FTSU Guardian seeks to promote an open and transparent culture and to remove barriers for staff to feel safe to speak up.

Integration and system thinking

4.5 None directly arising from this report.

Financial

4.6 None directly arising from this report.

Sustainable development and climate change adaptation

4.7 The following areas have been and continue to be considered by the FTSU Guardian

- Waste reduction
- Increased productivity
- Continuous improvement to mitigate and/or adapt to climate change
- Collaboration and working together (Both within SHSC, with our partners or within our communities)



- Providing early support to improve physical, mental and social wellbeing

Compliance - Legal/Regulatory

- 4.8 None directly arising from this report, save for the good practice necessity to receive updates from the FTSU Guardian

Section 5: List of Appendices

Appendix 1

Overview of some of the work the National Guardians Office has been involved with and the publications. The NGO have

- Appointed Dr Jayne Chidgey-Clark as the new National Guardian
- Published a gap analysis tool which was developed from the learning of the previous case reviews conducted by the Guardian's Office. The tool aims to help organisations to review FTSU arrangements to make improvements.
<https://nationalguardian.org.uk/learning-resources/speaking-up-resources/>
- A new self reflection tool has replaced the FTSU self- assessment for boards
<https://www.england.nhs.uk/ourwork/freedom-to-speak-up/developing-freedom-to-speak-up-arrangements-in-the-nhs/Released>
- New guidance issued for governance around Freedom to Speak Up Champions and Ambassadors <https://nationalguardian.org.uk/wp-content/uploads/2021/04/oct2020guidanceonprofgroups.pdf>
- The National Guardian's office will no longer be publishing the FTSU index report but will encourage organisations to look at incorporating other questions to help reflect on their speaking up culture.
- NHS England will review and publish a new national FTSU policy in 2022
<https://www.england.nhs.uk/publication/the-national-speak-up-policy/>
- Promoted October Speak up Month including encouraging staff to make a positive pledge related to speaking up.
- Released training modules on "Speak up", "Listen up" and "Follow up".
- Written directly to all NHS Trust Chief Executives to promote the importance of Freedom to Speak up.
- Regularly publish a "100 voices Story" to help promote the power of speaking up
<https://nationalguardian.org.uk/tag/100-voices/>

