

REPORT TO THE TRUST BOARD (PUBLIC)

TITLE	Freedom to Speak Up Guardian Q2 Report
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EXECUTIVE SPONSOR	Taff Gidi, Company Secretary
DATE OF MEETING	30 th November 2020
PRESENTED FOR	Information

PURPOSE OF THE REPORT

This report is being considered in the private section of the Board due to the need to provide a safe environment for Staff to raise concerns.

EXECUTIVE SUMMARY

- This report serves as a summary of concerns raised with the Freedom to Speak Up Guardian between July 20 to September 20 (Q2).
- During this period a total of 58 cases were raised by staff within North West Anglia NHS Foundation Trust.
- These concerns were raised by staff of all grades and disciplines including nurses, administration and AHPs. They were from Peterborough City Hospital (PCH), Hinchingsbrooke Hospital (HH) and Stamford Hospital.
- Freedom to Speak Up Champions are actively supporting contacts dealing with the issues.

COMMITTEES/SUBGROUP WHERE THIS ITEM HAS BEEN CONSIDERED

N/A

RECOMMENDATIONS

1. To note the information included in the reports.

STRATEGIC GOALS THIS REPORT SUPPORTS *(Check all that apply)*

Delivering outstanding care and experience	<input checked="" type="checkbox"/>
Recruiting developing and retaining our workforce	<input checked="" type="checkbox"/>
Improving and developing our services and infrastructure	<input checked="" type="checkbox"/>
Working together with local health and social care providers	<input type="checkbox"/>
Delivering financial sustainability	<input type="checkbox"/>

OTHER IMPLICATIONS OF THE PAPER

Legal/ Regulatory Relevance:	NHS Improvement License : FT4: Foundation Trust Governance
NHS Constitution Delivery	Staff: Raising Concerns
Freedom of Information Release	This report should not be released under the Freedom of Information Act 2000 without further consideration under section 36

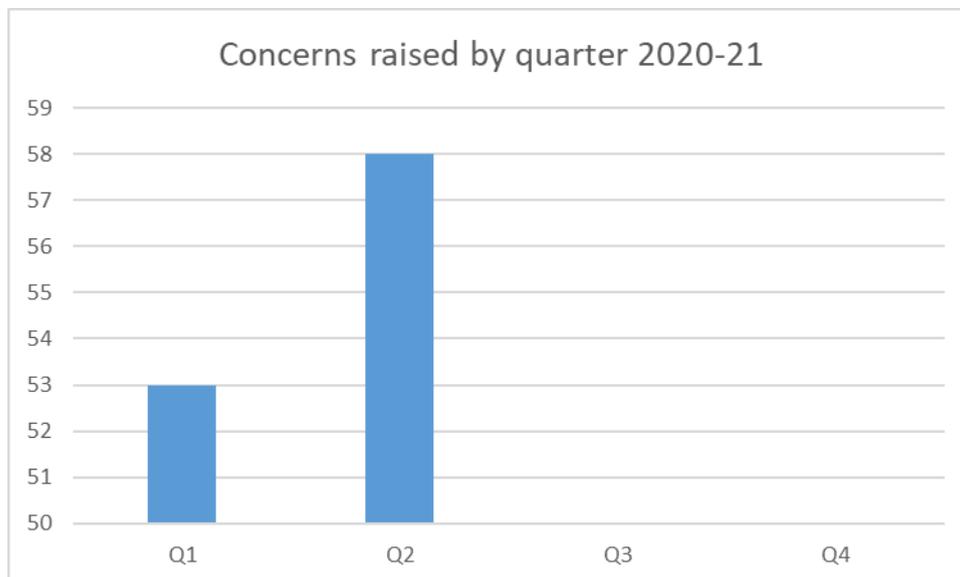
Equality and Diversity Implications *(Check all that apply)*

Age	Gender	Ethnicity	Disability	Pregnancy/ Maternity	Marriage/ Civil Partnership	Religion/ Belief	Sexual Orientation	Gender Reassignment
<input checked="" type="checkbox"/>								
<i>Additional comments</i>								

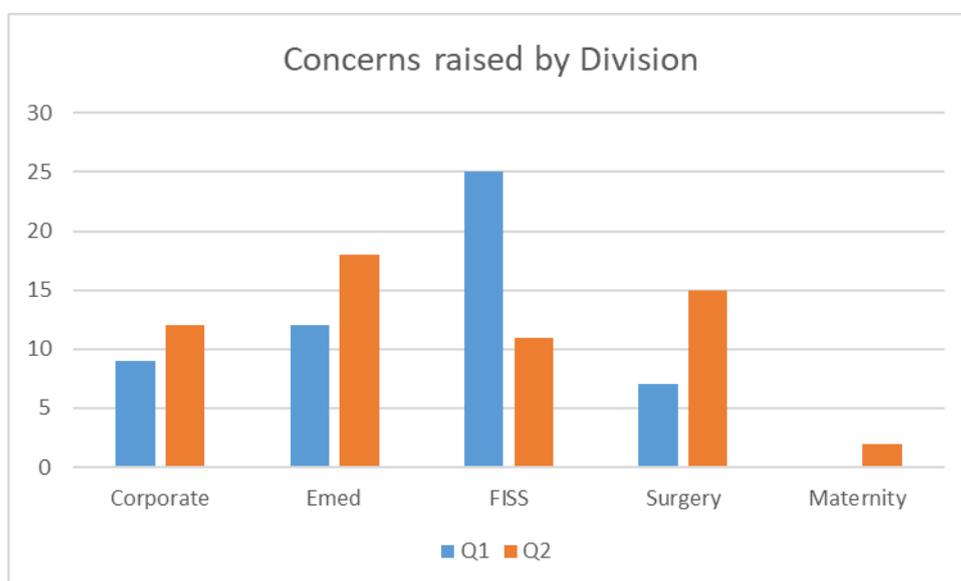


1. Concerns Raised

During the period 1st July 2020 to 30th September 2020 (Q2) a total of 58 concerns were raised with the Freedom to Speak Up Guardian or champions by staff working in the organisation. One of the concerns was raised with a Freedom to Speak Up champion. Two concerns were raised anonymously.



Each individual who approaches the Guardian is classed as one concern albeit that the Guardian may have met more than once with that individual. If more than one individual approaches the Guardian with the same concern the concerns are recorded as separate cases as per the National guidance. The concerns raised were split across all Divisions:

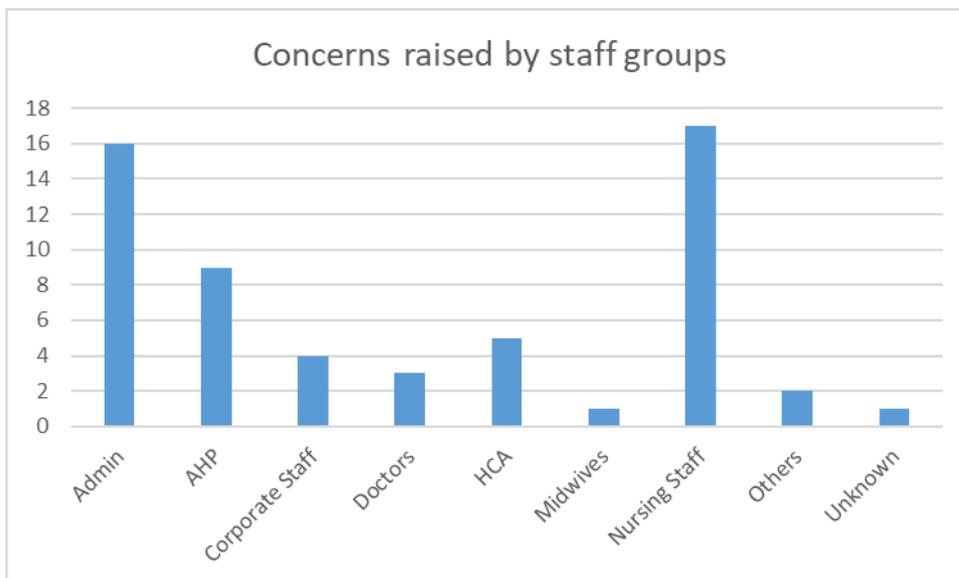


The concerns raised involved issues that fell into, one or more, of the following categories:

- Bullying and harassment
- Potentially unsafe patient care
- Issues with leadership and/or management
- Poor behaviours
- Poor culture
- Systems or processes that staff feel have been applied unfairly

- Staff safety/wellbeing including concerns regarding PPE

The National Guardian’s Office records the staff groups that individuals who are raising concerns belong to. The concerns this quarter were raised by the following staff groups:

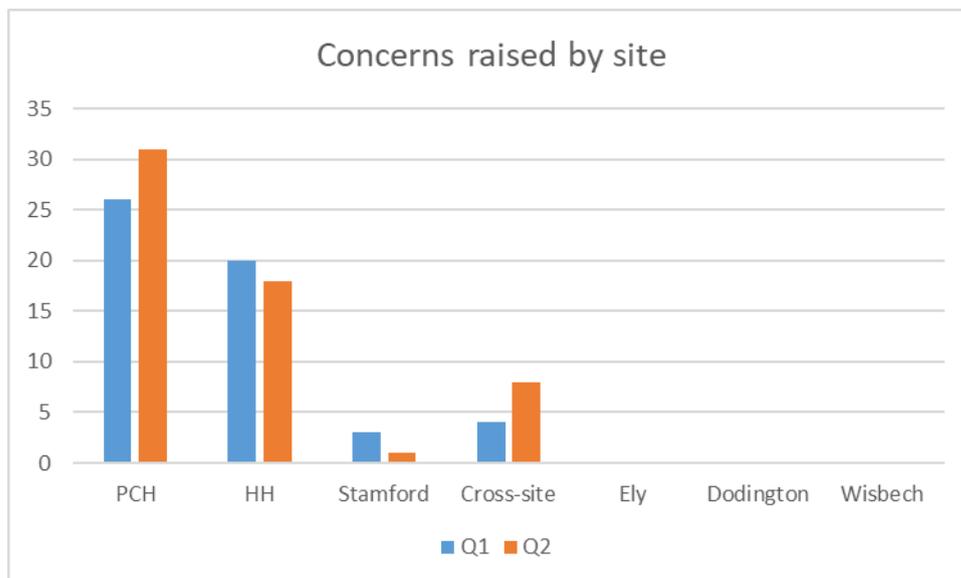


For the first time this quarter the National Guardian’s office also requested the professional level of staff that were raising concerns in three categories as part of the data upload. They define these groups as:

Worker	Any individual working in any capacity in an organisation including volunteers, contract staff, bank/agency staff etc.
Manager	A line manager or anyone with managerial responsibility
Senior Leader	Board-level or equivalent workers. In a Trust setting this would usually be equivalent to a Band 9 and above.



The concerns raised were from staff at Peterborough City Hospital, Hinchingbrooke Hospital and Stamford Hospital although some issues involved both main sites.



Fifty-eight cases were closed this quarter, which included some cases from the previous quarter. No cases were re-opened.

2. Themes/Learning

The common themes from this quarters concerns raised are middle management issues that often result from poor communication, poor behaviours and perceived bullying. There has also been a few concerns about processes that are applied in departments that staff do not perceive to be fair but feel unable to question them.

Lessons learnt from this quarter centre around the need for 'listening up.' Often staff that raise concerns have tried to talk to their line manager but the manager has not heard the concerns. Sometimes this is because they have misinterpreted the conversation and at others it is because they have not agreed with the individual and are unwilling to explore the conversation further.

3. Freedom of Information Request

One Freedom of Information request was received this quarter and responded to within the timeframe requested.

4. Benchmarking

The National Guardian's office (NGO) asks all Guardian's to report data on the number and nature of cases quarterly to allow them to benchmark Trusts. Due to the Covid-19 pandemic the National Guardian's Office has not yet published its data from the quarter 4 collection as a result of the low number of submissions received.

Anecdotal evidence from other guardians across our region demonstrates that they continue seeing an increase in cases with the themes in line with ours.

5. Collaborative Working

Collaborative working with other teams across the Trust continues to increase. Close working links with the Safeguarding team have been formed including taking part in the safeguarding committee allowing sharing of information as appropriate. The Guardian

also now sits on the newly formed patient safety committee as well as some of the staff networks that take place such as the BAME and disability network.

Combined quarterly meetings with the Chairman and CEO continue as well as monthly meetings with the CEO.

6. New publications, information releases and updates

Whittington Case Review

The National Guardian's Office (NGO) has published its findings of their case review at Whittington Hospital. The objective of case reviews is to work with a Trust and individual workers who speak up to identify learning and areas of improvement. The findings are outlined below:

Findings	Comments	Actions taken	Current picture at NWAFT
Support for FTSUG	<p>Area of good practice.</p> <ul style="list-style-type: none"> • Trust provided resource for full time role • Guardian received regular supervision to support them with their wellbeing • Guardian met regularly with HR business partners 	<ul style="list-style-type: none"> • Liaison with other Trusts in area to support the growth of a network of FTSU Guardians 	<ul style="list-style-type: none"> • Full time Guardian • Active local and regional network that meets regularly • Regular meetings with CEO, Chairman, NED and line manager • Good working relationships with HR colleagues. • Regular meetings through 1-to-1s and other meetings with the Company Secretary as the FTSU's line manager. • FTSUG supported to undertake relevant CPD.
Trust 'whistleblowing' policy	<p>Policy not in accordance with national standard integrated policy. The standard integrated policy aims to improve the experience of speaking up in the NHS. All NHS organisations are expected to adopt the policy as a minimum standard.</p>	<p>Trust will review its policy but is waiting for a revision of the national policy</p>	<p>Standard integrated policy has been incorporated into current policy titled Raising Concerns in a Safe Environment. Will be reviewed when new National policy is published</p>
Understanding of FTSUG role	<p>Lack of understanding of the purpose and remit of the FTSU Guardian role from a range of workers at different levels of seniority in different departments in the Trust.</p>	<p>FTSU Guardian to work closely with communications director to review promotion and understanding of the role. FTSUG to attend Trust partnership group on regular basis</p>	<ul style="list-style-type: none"> • FTSU month in October to be utilised to promote work of Guardian and champions • Review communications strategy for beyond October
Support for an individual with a specific Speaking Up responsibility	<p>Board member with responsibility for Speaking Up did not feel trained or supported in role</p>	<p>Trust committed to working with board members to design bespoke learning package, which reflects NGO guidance, to support them</p>	<ul style="list-style-type: none"> • Regular meetings with CEO, Chairman and NED responsible for FTSU. • Regular meeting with Chief Nurse.

Gap analysis of NGO case reviews	The Trust as required by NHSI board guidance had not done a gap analysis against case reviews produced by the National Guardian	This will be a feature in the six-monthly board report	Gap analysis of any case reviews published will be completed and presented with the quarterly board report
Speaking Up audit	No standalone FTSU audit	The Trust will make a recommendation at its Audit and Risk Committee that the next internal audits for FTSU should be separate from its audit of complaints.	<ul style="list-style-type: none"> • FTSUG contributed to the recent independent well led review. • Working in conjunction with local network of FTSUG to undertake peer audit. • Review of FTSU processes included in the cyclical internal audit plan.
Thanking workers for Speaking Up	Workers who raised their concerns were not thanked	This has been embedded into the work of the FTSU Guardian and the Trust's Speak Up Advocates	<ul style="list-style-type: none"> • All staff who raise concerns are thanked for doing so. • Included in FTSU champion training.
Lack of response to Speaking Up in accordance with Trust policy	Worker who spoke up about bullying and harassment experienced a delay in gaining a response and then after declining mediation no further action was taken.	<ul style="list-style-type: none"> • Implementation of electronic employee relations case monitoring system which ensures investigations are timely • Extensive support and training of leaders and managers in managing staff concerns • Grievance policy revised containing KPI's reported to the workforce committee • 	<ul style="list-style-type: none"> • Robust recording of cases to ensure follow up. • Regular communication with staff that raise concern until case is resolved. • Measures against the new strategy will ensure more systematic monitoring and reporting on 'time to resolution'.
Support for those who handle speaking up and those who raise matters	One worker who spoke up found the processes and procedures confusing. They did not feel	The Trust has implemented an electronic case management system	<ul style="list-style-type: none"> • HR business support for each division. • Close working relationships

	<p>sufficiently supported to understand the processes to be followed in response to Speaking Up.</p> <p>Another worker know what was meant to happen according to the policies but they were not followed</p>	<p>Dedicated HR business partner for each support for each business unit</p>	<p>between HR and FTSUG.</p> <ul style="list-style-type: none"> • FTSUG has started work to ensure there is clarity of process where concerns initially redirected via the FTSU process are redirected to another appropriate process e.g. grievance.
Feedback in speaking up cases	<p>Workers who spoke up were not provided with feedback. The NGO states that workers should receive meaningful feedback to provide assurance the organisation has listened to them and taken action</p>	<ul style="list-style-type: none"> • Regular meetings between HR and FTSUG to facilitate feedback. • Included in training for Advocates • Plans to promote through trust communications 	<ul style="list-style-type: none"> • FTSUG provides feedback to all staff that raise concerns. • Liaise closely with HR where appropriate to discuss feedback. • Need to increase sharing of lessons learnt. • Need to work with managers to ensure they are providing feedback directly to people who raise concerns.
Delays in handling grievances	<p>Trust's response to grievances significantly exceeded the timeframes provided in their grievance policy.</p> <p>NGO recommends that the Trust should take appropriate steps to ensure grievance cases are addressed within the timeframes set out in its policies and procedures</p>	<p>A new policy is in place. The Trust undertook an in-depth review of the culture of the organisation specifically looking at bullying and harassment.</p>	
Conflict of interest in grievance proceedings	<p>A potential conflict of interest arose during a grievance process following a worker speaking up when the manager was called as a witness in support of the worker about whom the grievance had</p>	<p>The Trust has implemented processes and procedures to ensure conflict of interest is considered. References to these are included within the relevant trust policies.</p>	

	been raised. The manager would also be responsible for implementing any findings that came out of the grievance hearing		
Failure to disclose the details of a grievance	A group of workers against whom a grievance was raised were initially told they were not entitled to know what the grievances were about. One of the workers said they were told to attend mediation and disciplinary action would be taken if they did not	The Trust has a new grievance policy which has been shared across the organisation and has been jointly approved by the Trust and staff side	
Exit interviews	One of the workers who spoke up said that they were not offered an exit interview before they left the Trust. This did not give them an opportunity to speak up and provide feedback about the culture or emotional distress they had experienced	The Trust is planning a review of exit interviews and questionnaires which will include a question regarding FTSU/ raising concerns	We currently offer exit questionnaires and interviews. FTSUG to work with HR to ensure sharing of information gathered.

Covid-19 Pulse Survey

The National Guardian's office undertook monthly pulse surveys to understand the impact Covid-19 was having on Freedom to Speak Up Guardians and their networks. The results of the 3rd survey were published at the end of June. This identified worker safety and wellbeing as the top type of issue being raised with social distancing taking over from PPE as the top concern.

Of the 151 Guardian's that responded 51% said speaking up had slightly or considerably increased as a result of Covid -19. 56% said they are not involved in recovery discussions.

7. Capacity within the role

Two new champions have been recruited this quarter, Ruth Markham, Occupational Health Technician and Tom Franklin-Payne, Associate Specialist Palliative Care Nurse.

The Guardian has now delivered training to thirteen of the sixteen champions to ensure increased understanding of role and standardised approach.

The Guardian has also recorded a film outlining what FTSU is and how staff can access the service. This is predominantly for junior doctor induction but will also be used at other induction events when the Guardian cannot be present.

8. Achievements this quarter

Achievements in the last quarter include:

- Two new FTSU champions recruited
- Training provided for Freedom to Speak Up Champions to provide clarity and standardisation to their role
- Induction film recorded to be used primarily for junior doctor induction to promote Freedom to Speak Up in our organisation but also for use at other induction events
- Formulation of peer audit tool in conjunction with local network of Guardians (Cambridge University Hospitals, Royal Papworth Hospital, Cambridgeshire and Peterborough Foundation Trust, Cambridgeshire Community Services) to allow review of service provided

9. Priorities for the next quarter

Priorities for the next quarter will be:-

- Promotion of FTSU during Speak Up month in October
- Board workshop to help formulate vision and strategy
- Review of self-assessment tool to inform action plan if necessary
- Finalise peer audit plan

10. Summary

In the past quarter:-

- Cases continue at a steady level
- New champions recruited and champions training undertaken
- Finalised plans for Speak Up month
- Work underway on peer audit tool