

## REPORT TO THE TRUST BOARD (PUBLIC)

<b>TITLE</b>	Freedom to Speak Up 2020/21 Q3 & Q4 Report
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<b>EXECUTIVE SPONSOR</b>	Taff Gidi, Company Secretary
<b>DATE OF MEETING</b>	13 April 2021
<b>PRESENTED FOR</b>	Information

### PURPOSE OF THE REPORT

This report is to update the Board regarding concerns raised via Freedom to Speak Up and to provide pertinent local and national updates

### EXECUTIVE SUMMARY

- This report serves as a summary of concerns raised with the Freedom to Speak Up Guardian between 1 October 2020 to 31 March 2021 (Q3 & Q4).
- During this period a total of 73 (44 in Q3 & 29 in Q4) 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, doctors, administration and AHPs. They were from Peterborough City Hospital (PCH) and Hinchingsbrooke Hospital (HH).
- 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 update provided 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**

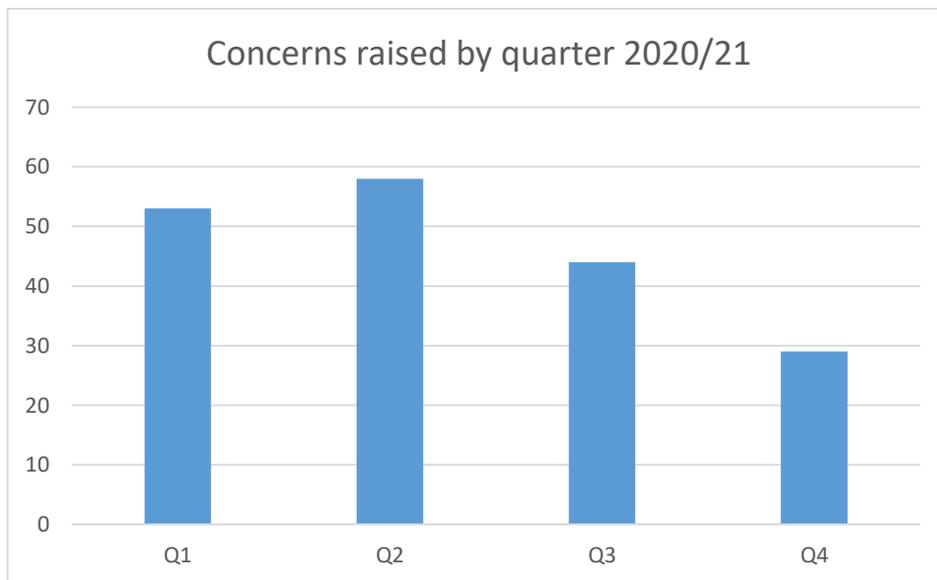
<b>Legal/ Regulatory Relevance:</b>	NHS Improvement License : FT4: Foundation Trust Governance
<b>NHS Constitution Delivery</b>	Staff: Raising Concerns
<b>Freedom of Information Release</b>	This report should not be released under the Freedom of Information Act 2000 without further consideration under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

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

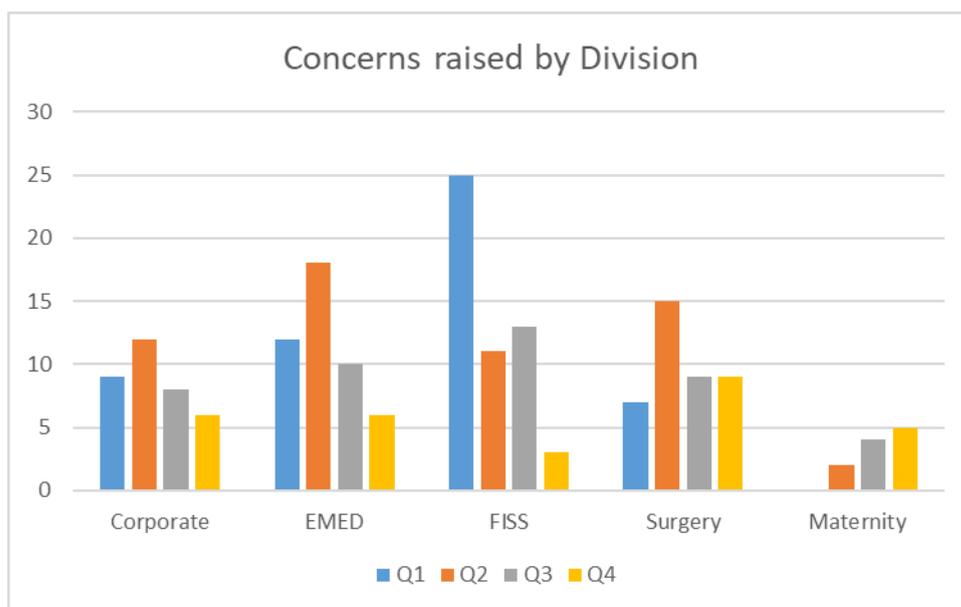
Age	Gender	Ethnicity	Disability	Pregnancy/ Maternity	Marriage/ Civil Partnership	Religion/ Belief	Sexual Orientation	Gender Reassignment
<input checked="" type="checkbox"/>								
<i>Additional comments</i>								

## 1. Concerns Raised

1.1 During the period 1<sup>st</sup> October 2020 to 31<sup>st</sup> March 2021 (Q3 & Q4) a total of 73 concerns were raised (44 in Q3 and 29 in Q4) with the Freedom to Speak Up Guardian or champions by staff working in the organisation. Two of the concerns were raised with a Freedom to Speak Up champion. There were no concerns raised anonymously.



1.2 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:

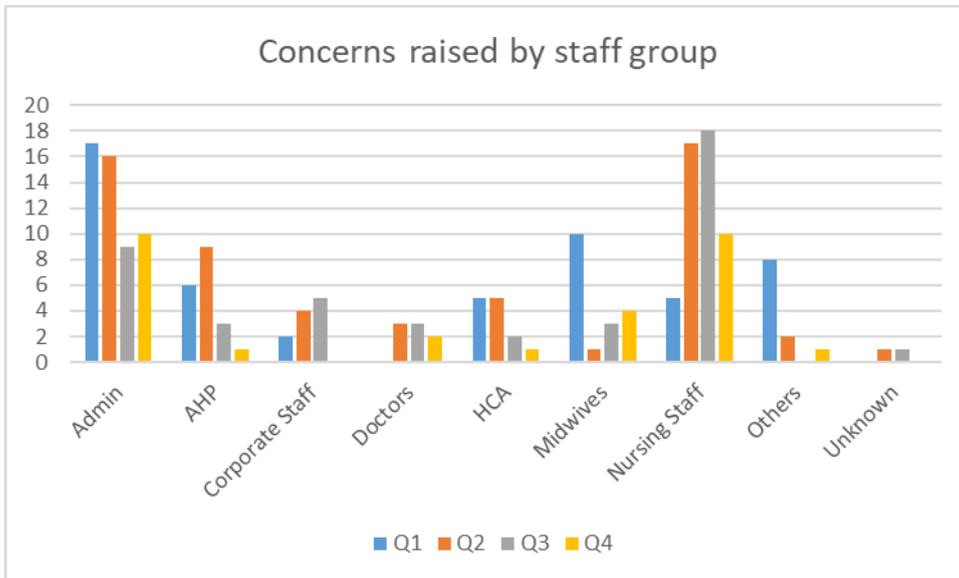


1.3 The concerns raised involved issues that fell into, one or more, of the following categories:

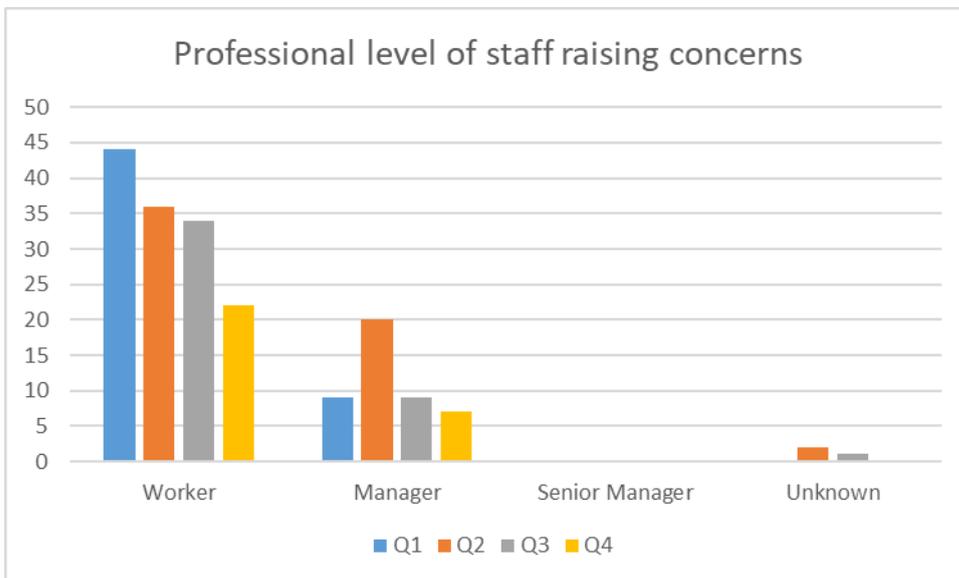
- Bullying and harassment
- Potentially unsafe patient care
- Issues with leadership and/or management
- Poor behaviours

- Systems or processes that staff feel have been applied unfairly
- Staff safety/wellbeing including concerns regarding PPE and social distancing

1.4 The concerns in Q3 were raised by the following staff groups:

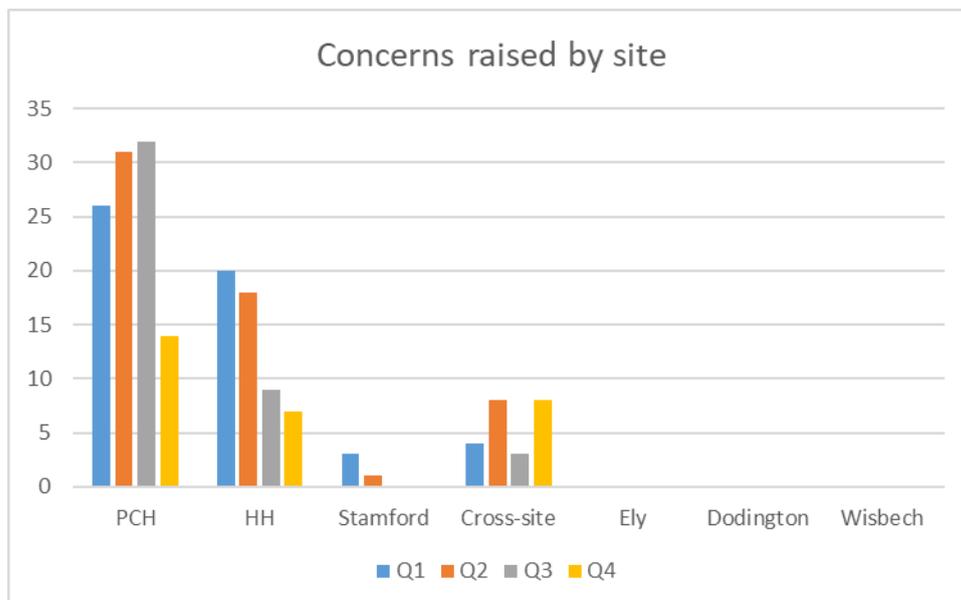


1.5 The professional level of staff, as defined by the National Guardians office, raising concerns were:



Professional Level	Definition
Worker	By 'worker', we mean the definition as defined by our office. A worker can be any individual working in any capacity in an organisation, including volunteers, contract staff, bank/agency staff etc. Use this category unless one of the other categories applies.
Manager	By 'manager', we mean a line manager or anyone with managerial responsibility.
Senior Manager	This category should be applied to Board-level or equivalent workers. Whilst you may need to use your discretion, in a trust setting this would usually be equivalent to Band 9 and above. This category should be applied to clinical directors and above, executive and non-executive Board members, GP partners, dental partners, superintendent pharmacist and optician partners/owners
Not Disclosed	This category should be used if you do not know the professional level of the individual speaking up to you, e.g., they are anonymous.

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



## 2. Themes

2.1 The dominant theme from this quarters concerns raised is poor communication followed by poor behaviours and perceived bullying. Staff raising concerns often feel that there is a lack of equity in the processes applied within their department and feel that they are not being listened to when they raise their concerns.

## 3. Lessons Learnt

3.1 The lessons learnt from the themes of the concerns raised is the need for improved communication. Avoidance of kind, compassionate conversations that are often termed as 'difficult conversations' leads to more issues at a later date. More needs to be done to ensure that our managers are equipped, prepared and supported to have these conversations. The Guardian has discussed this with the Organisational Development team.

3.2 Strengthening the learning from concerns raised was highlighted by the internal audit of FTSU and is discussed later in this report.

## 4. Collaborative Working

4.1 Collaborative working continues. The Guardian attends all the staff networks as well as sitting on the Safeguarding and Patient Safety committees.

4.2 Quarterly meetings with the Chairman and CEO continue as well as monthly meetings with the CEO and the Non-Executive Director with responsibility for FTSU.

4.3 The Guardian also attends regular meetings with the local network of Guardians which includes the FTSU Guardian from Cambridgeshire and Peterborough Foundation Trust, Cambridgeshire Community Services, Cambridge University Hospital and Royal Papworth. This allows for sharing best practice and information and provides peer support for the FTSU Guardian.

## 5. Freedom to Speak Up Month

- 5.1 October 2020 was Freedom to Speak Up month. The National Guardian's office used an A-Z approach to promote Speaking Up, we also adopted this approach and used our Trust Facebook platform to post a FTSU topic every day. We produced a short film of the FTSU Champions as well as a poster of the board members holding FTSU related statements.
- 5.2 A board workshop took place in October to engage with the Board on the development of the FTSU vision and strategy. This has now been circulated widely across the Trust for feedback before the final version is presented to the Board for approval.

## 6. FTSU Audit

- 6.1 A review of FTSU took place in February 2021 as part of the internal audit plan; with an opinion of **Reasonable Assurance** issued. The report concluded that:

*'Overall, we found that the Trust has in place a well-designed control framework for staff to feel comfortable raising concerns. This is supported by the FTSU Guardian who acted as an independent mediator for Trust staff based on our sample testing of 20 concerns raised. Our sample testing also identified that the FTSU process outlined within the FTSU policy was consistently applied and actions taken to address concerns in a timely manner.'*

- 6.2 The audit did identify several actions, the majority of which are of low priority apart from ensuring action is taken to address the root cause of concerns through lessons learnt which is medium priority. An action plan to ensure the recommendations and actions are tracked is being formulated, alongside a plan to share lessons learnt widely via the divisional dashboards.
- 6.3 Implementation of the recommendations from the audit will be monitored via the Audit Committee.

## 7. Benchmarking

- 7.1 The National Guardian's office (NGO) requires all Guardian's to report data on the number and nature of cases quarterly to allow them to benchmark Trusts. The table below contains the data uploaded from quarter 2 and 3.
- 7.2 Because of timing of the meeting, quarter 4 data is not yet available.

NHS Trust & (Size of Trust based on employee headcount)	Number of cases raised		Number raised anonymously		Number related to patient safety /quality		Number related to behaviours including bullying or harassment		Number of cases where people indicate they are suffering detriment as a result of speaking up	
	Q2	Q3	Q2	Q3	Q2	Q3	Q2	Q3	Q2	Q3
North West Anglia NHS Foundation Trust (Medium)	58	44	1	1	8	5	26	10	0	0
Cambridge University Hospitals NHS Foundation Trust (Large)	33	44	8	14	5	7	14	19	0	0
Luton and Dunstable University Hospital NHS Foundation Trust (Medium)	4	6	0	1	2	2	2	4	0	0
Milton Keynes University Hospital NHS Foundation Trust (Small)	1	1	0	0	0	0	1	1	0	0
Norfolk and Norwich University Hospitals NHS Foundation Trust (Medium)	41	57	0	3	6	3	5	16	0	1
Royal Papworth Hospital NHS Foundation Trust (Small)	19	No Data Received	0	No Data Received	2	No Data Received	8	No Data Received	2	No Data Received

## 8. New Publications, Information Releases and Updates

### National Guardian's Office Annual Report 2020

8.1 The National Guardian's office published its *National Guardian's Office Annual Report 2020* covering the period from 1 April 2019 – 31 March 2020. The headlines of this report show:

- 16199 speaking up cases were raised , a 32% increase on the previous year (2018/19)
- 23% of cases included an element of patient safety/quality, a decrease from 29% in the previous year (2018/19)
- 36% of cases included an element of bullying and harassment, a decrease from 41% in the previous year (2018/19)
- 13% of cases were recorded as being raised anonymously, an increase from 12% the previous year (2018/19)
- Detriment was indicated in 3% of cases down from 5% in the previous year (2018/19)
- Feedback was gathered from 4,770 workers who raised concerns 85% said they would speak up again
- Nurses accounted for the biggest portion of cases raises, 28%, with admin staff next at 19%

8.2 It is not possible to benchmark our data against this report as the Guardian has only been in post since January 2020 but we expect to be benchmarking against the next report.

8.3 Attached in **Appendix 1** is the *National Guardian's Office Annual Report 2020* for information.

### Freedom to Speak Up Guardian Survey 2020

8.4 The National Guardian's office published its annual Freedom to Speak Up Guardian's survey in March 2021. The purpose of the survey is to gain insights on support for and barriers to speaking up. The report highlighted the following recommendations:

	Recommendation	NWAFT
<b>Appointment:</b>		
1	Leaders should appoint Freedom to Speak Up Guardians through fair and open competition	Fulltime Guardian appointed through open and competitive interview process
2	Leaders should assure themselves that there are no barriers to anyone who may want to apply for the Freedom to Speak Up Guardian role	As above

3	Leaders should take steps to assure themselves that existing arrangements have the confidence of the workforce	Evidenced by the number of concerns raised when benchmarked against other Trusts, National Staff Survey results and Cultural Barometer survey results
<b>Ring-fenced time</b>		
4	Leaders should provide Freedom to Speak Up Guardians with ring-fenced time for the role, taking into account of the time needed to carry out the role and meet the needs of the workers in their organisation. Leaders should be able to demonstrate the rationale for their decisions about how much time is allocated to the role.	The Trust employs a full time Guardian
5	Freedom to Speak Up Guardians must, with the necessary support of their leaders, including the provision of sufficient ring-fenced time, gather feedback on their performance.	This is an outstanding action with a plan to formulate a survey monkey questionnaire that can be sent to staff that have raised concerns allowing them to feedback anonymously.
<b>Speaking up training for workers, managers and senior leaders</b>		
6	Leaders should provide effective speaking up training for all workers, ensuring this meets the expectations set out in the national guidelines published by the NGO	Currently the Guardian attends registered practitioner induction, HCA induction and a film is shown at junior doctor induction. The NGO is in the process of releasing three levels of training aimed at all staff, managers and senior leaders. Work is underway to embed this in the Trust.
<b>Groups facing barriers to speaking up</b>		
7	Leaders should work with their Freedom to Speak Up Guardian(s) to identify potential groups that face barriers to speaking up and work towards addressing those barriers	The Guardian also attends all the staff networks to increase visibility and inclusivity. Work is also underway to ensure that information regarding speaking up is available in different languages to reflect the needs of our workforce.
<b>Characteristics of FTSU Guardians</b>		
8	Leaders should seek assurance that their speaking up arrangements are effective for workers	In addition to the Guardian there is a diverse group of champions within the Trust to support speaking up. The NGO has also commissioned research to understand if ethnicity of the Guardian acts as a barrier to workers of other ethnicities speaking up. This research will be conducted in quarter one of 2021/22. The Board receives regular updates from the FTSU Guardian.

<b>Detriment</b>		
<b>9</b>	Leaders must communicate that detriment will not be tolerated, act to prevent detriment occurring and look at cases of detriment when it is reported.	Speaking Up is encouraged and promoted by leaders. There has been no reports of detriment in the Trust.

### **Training**

8.5 The National Guardian's office is also releasing three levels of training which are as follows:

- Speak up – intended for all staff
- Listen up – intended for line and middle managers
- Follow up – intended for senior leaders

8.6 The first two levels have now been released and work is underway to embed the training in the Organisation.

### **Model Hospital**

8.7 The National Guardian's office has also collaborated with the Model Hospital to include Freedom to Speak Up information within their culture and engagement section.

### **National Staff Survey**

8.8 For the first time the 2020 NHS National Staff Survey contained a specific question regarding speaking up:

<b>Question 18F</b>	<b>NWAFT</b>	<b>National Acute Trusts Average</b>
I feel safe to speak up about anything that concerns me in this organisation	62%	65%

8.9 In future years tracking of this question will provide insight into the Speaking Up culture in the organisation.

### **8. Achievements for these two quarters:**

8.10 Achievements in the last two quarters include:

- Freedom to Speak Up month took place and was used to further promote FTSU in the Organisation.
- A workshop with the board was held to formulate the FTSU vision and strategy.
- Collaborative working continued to improve.
- The draft vision and strategy has been circulated widely for comments.
- Review of the Board self-assessment tool was completed and will be presented to Board for discussion and then final approval.

## **9. Priorities for the next quarter**

8.11 Priorities for the next quarter will be as follows:

- Finalise the FTSU vision and strategy and gain board approval.
- Implement the recommendations from the internal audit of FTSU.
- Gain Board approval of self-assessment tool to inform an action plan if necessary.
- Start to embed FTSU training into the organisation.
- Devise a mechanism to gather feedback from staff raising concerns.

## **10. Summary**

In the past two quarters:-

- Cases have fallen from previous quarters.
- Freedom to Speak Up month took place in October.
- The FTSU vision and strategy has been drafted and widely circulated for feedback.
- An internal audit review has taken place and actions will now be implemented.