

## REPORT TO THE TRUST BOARD (PUBLIC)

<b>REPORT TITLE</b>	Freedom to Speak Up Guardian Annual Report
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<b>EXECUTIVE SPONSOR</b>	Taff Gidi, Company Secretary & Head of Corporate Affairs
<b>DATE OF MEETING</b>	12 April 2022
<b>PRESENTED FOR</b>	Discussion
<b>ITEM PREVIOUSLY CONSIDERED BY</b>	N/A

### Presented For: Definitions

Information	For information only. Not to be discussed at meeting unless members have specific questions.
Discussion	For discussion and possibly future decision. This includes items presented for assurance.
Decision	For approval and/or when any other decision is required

### PURPOSE OF THE REPORT

This report is to update the Board regarding concerns raised via Freedom to Speak Up during the 2021/22 financial year and to provide pertinent local and national updates.

### RISKS RELEVANT TO THE PAPER

Risk ID	Risk Description
103348	The Trust does not have adequate plans in place to recruit, retain and maintain good levels of staff engagement and staff experience, and this could impact on the delivery of safe services for our patients and on patient experience.

### RISK APPETITE RELEVANT TO THE PAPER

DOMAIN	TRUST RISK APPETITE LEVEL	DESCRIPTION OF RISK APPETITE
<b>Compliance/Regulatory</b>	<b>Minimal (ALARP)</b> - (as little as reasonably possible) Preference for ultra-safe delivery options that have a low degree of inherent risk and only for limited reward potential	Want to be very sure we would win any challenge. Similar situations elsewhere have not breached compliances.

### THE BOARD IS ASKED TO:

- Note and discuss the information included in the report.

**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 checked="" 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 Regulation 17 – Good Governance
<b>NHS Constitution Delivery</b>	Staff: Raising Concerns
<b>Freedom of Information Release</b>	This report can be released under the Freedom of Information Act 2000 as it is already in the public domain.

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

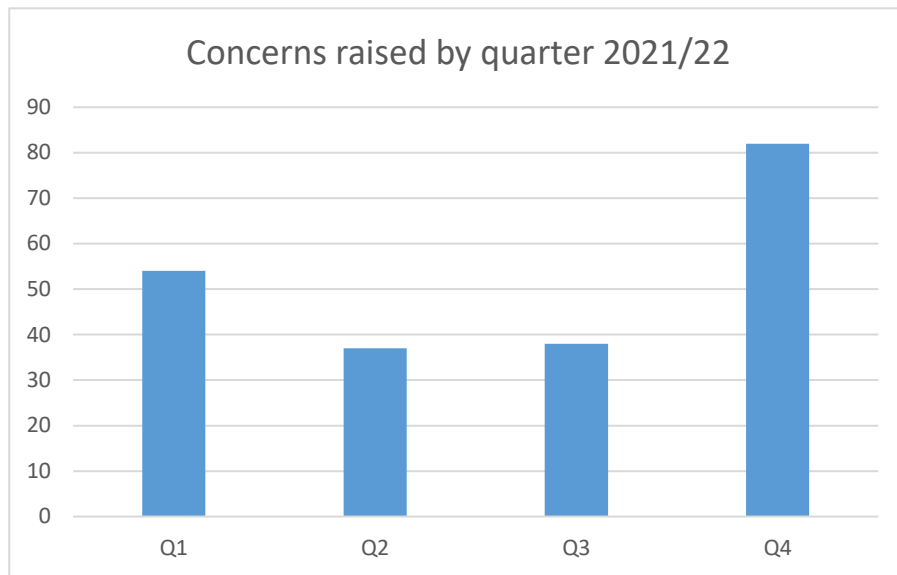
Age	Gender	Ethnicity	Disability	Pregnancy/ Maternity	Marriage/ Civil Partnership	Religion/ Belief	Sexual Orientation	Gender Reassignment
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<i>Additional comments</i>								

## **1. Executive Summary**

- 1.1 This report serves as a summary of concerns raised with the Freedom to Speak Up Guardian between 1 April 2021 to 31 March 2022.
- 1.2 The Board previously received an interim report showing Q1 & Q2 data. This was presented to the December Public Board meeting.
- 1.3 During 2021/22 a total of 212 cases were raised by staff within North West Anglia NHS Foundation Trust. This is a 15% increase in the number of cases raised year on year.
- 1.4 These concerns were raised by staff of all grades and disciplines including nurses, doctors, administration and AHPs. They were from Peterborough City (PCH), Hinchingsbrooke (HH), Stamford & Rutland (Stamford) and Doddington Hospitals.
- 1.5 Nearly 10% of all cases were initially raised through Freedom to Speak Up Champions. This demonstrates the enormous value that our network of Champions brings for the Trust.
- 1.6 The Freedom to Speak Up Guardian and Freedom to Speak Up Champions are actively supporting contacts dealing with the issues.
- 1.7 The Trust has taken steps to support the Freedom to Speak Up Guardian to enable them to manage their own health and wellbeing.
- 1.8 The most consistent theme in Q3 & Q4 has been perceived poor leadership. This may also be linked to an emerging theme of staff having raised their issue with their line manager prior to escalating to the Freedom to Speak Up Guardian. They often escalate concerns as they feel that they have not been actioned appropriately or resolved.
- 1.9 Across all four quarters, there has been a theme regarding a delay in receiving feedback from formal HR processes. This is mainly linked to managers and investigating officers not responding in a timely way.
- 1.10 The Board will be receiving a report on the latest National Staff Survey Results for 2021 from the Chief People Officer. As shown in the report below, the Trust was below average on all questions relating to Speaking Up. The reasons are multifactorial as shown in this report.
- 1.11 Overall, it has been a very busy year for Freedom to Speak Up in terms of the number of cases and also the complexity of some of the cases. In particular, Q4 has been a very busy period.

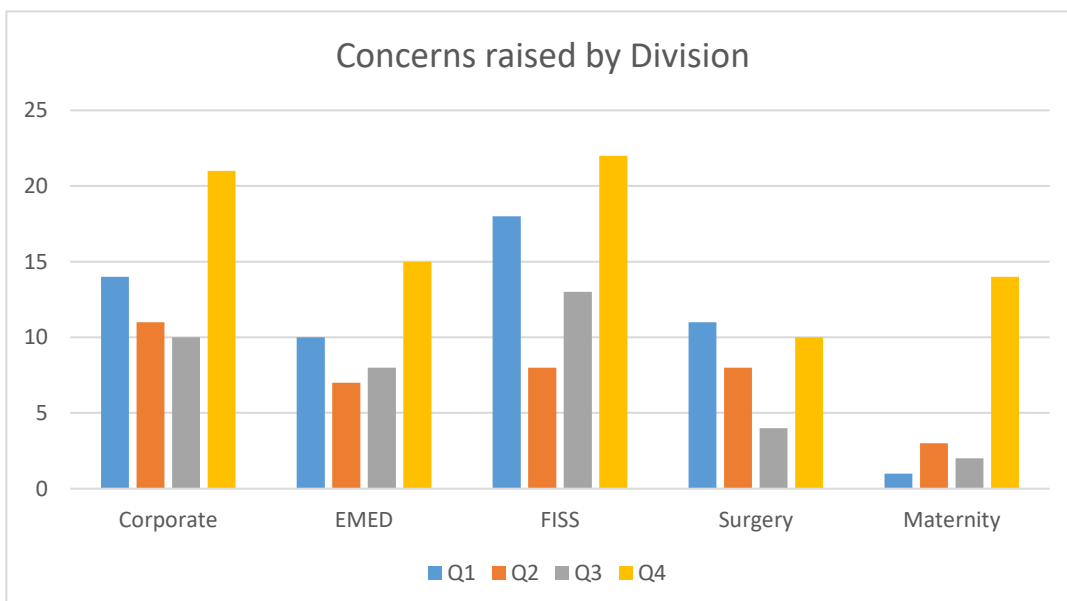
## **2. Analysis of Cases**

- 2.1 During the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 a total of 212 concerns were raised with the Freedom to Speak Up Guardian or champions by staff working in the organisation. This is an increase from 184 cases in the previous year.
- 2.2 Twenty of the concerns were initially raised with a Freedom to Speak Up champion before being escalated to the Guardian.

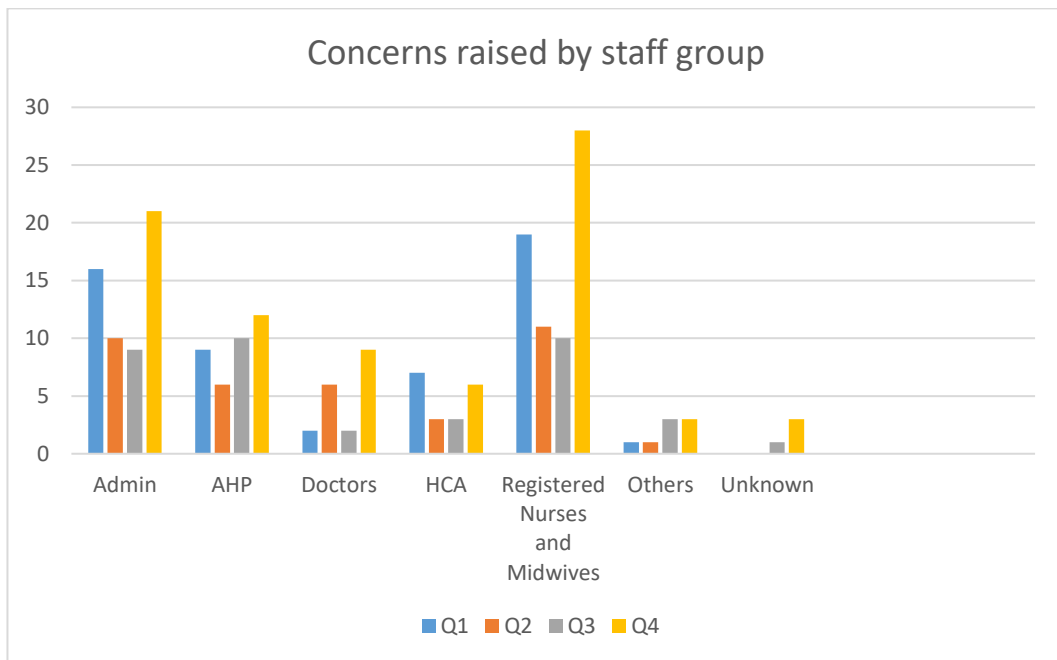


2.3 There were 5 cases raised anonymously. Four of these related to a series of anonymous letters received by the Freedom to Speak Up Guardian and the Trust. Appropriate action is being taken to understand and respond to these concerns taking into account the learning from West Suffolk.

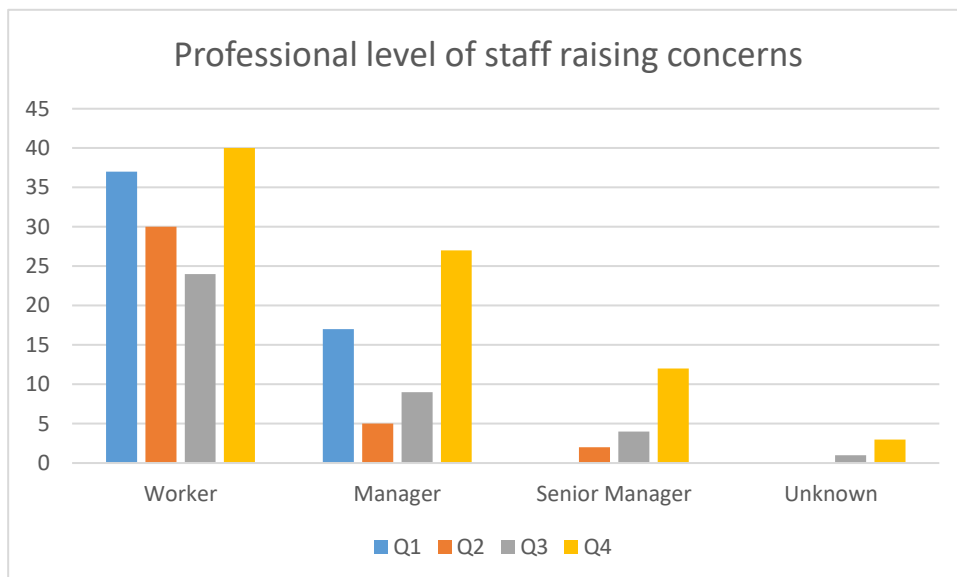
2.4 Each individual who approaches the FTSU Guardian is classed as one concern albeit that the FTSU Guardian may have met more than once with that individual. If more than one individual approaches the FTSU Guardian with the same concern, the concerns are recorded as separate cases as per the national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



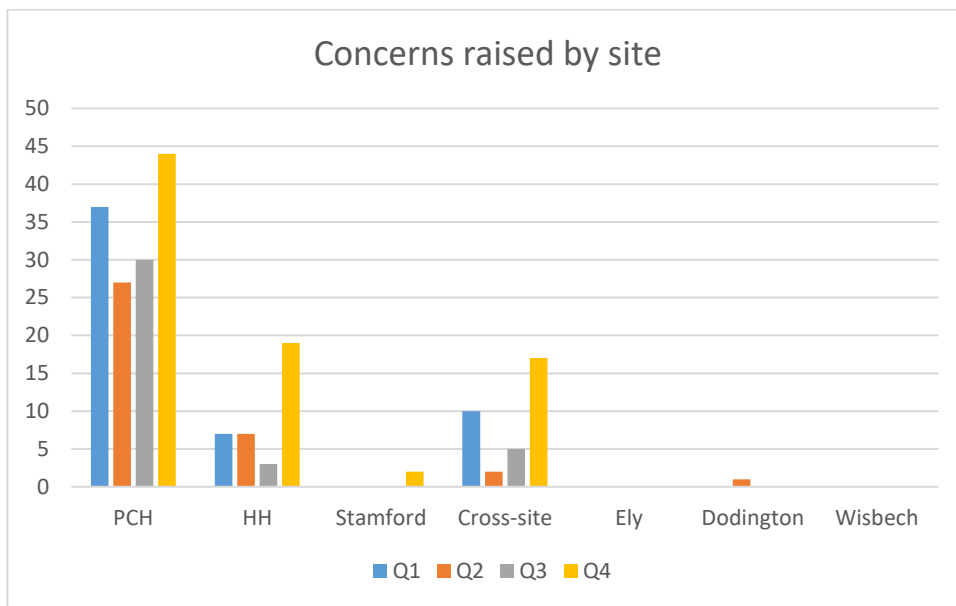
2.5 The concerns were raised across the following staff groups:



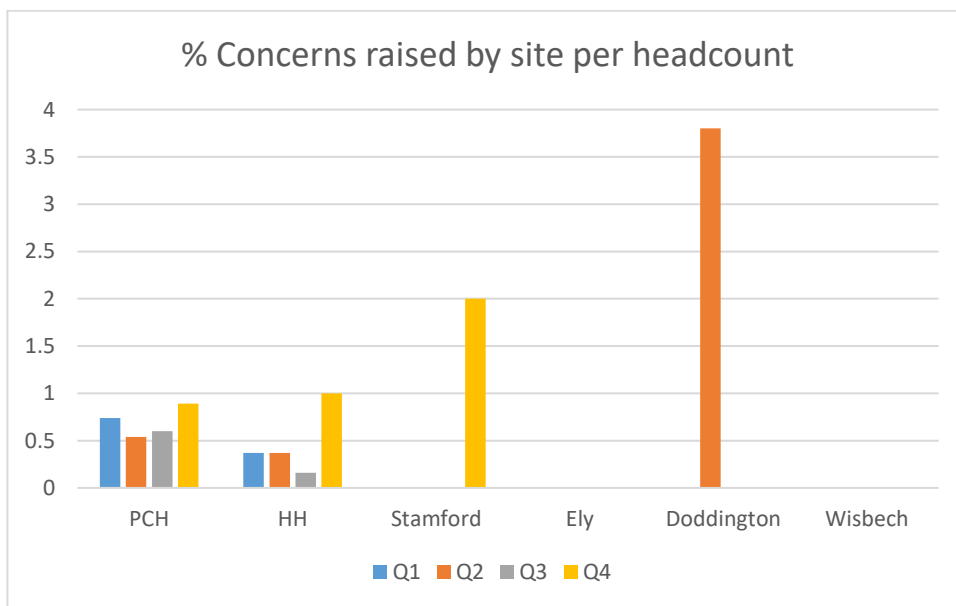
2.6 The professional level of staff, as defined by the National Guardians office, raising concerns were:



2.7 The breakdown of concerns raised by site:



2.8 The breakdown of concerns raised by site per headcount:



3. How the cases above have identified potential issues with patient safety or worker experience

3.1 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
- Potential discrimination both sexual and racial
- Potential fraud

- 3.2 The most consistent theme in the past two quarters has been perceived poor leadership.
- 3.3 There also appears to be an emerging theme of staff having raised their issue with their line manager prior to escalating to the FTSU Guardian. They often escalate concerns as they feel that they have not been actioned appropriately or resolved.
- 3.4 The theme regarding a delay in receiving feedback from formal HR processes, which was present in quarter 1 and 2, continues. Individuals who have utilised formal HR processes to address issues feel that they wait a protracted length of time to receive either feedback or an outcome from this. Often the issue is caused by the manager/investigating officer not having protected ring-fenced time to deal with the issue whilst also managing all their other competing priorities which form part of their role.

#### **4. Action taken to improve the FTSU culture across the Trust**

- 4.1 There have been ongoing activities to promote FTSU including:
- Presenting at the most recent junior doctor induction
  - Presenting at registered practitioner and HCA induction days
  - FTSU being promoted in the Chief Executive Officers' weekly blog
  - Delivering a session on the First 100 Days new managers' programme
  - Recruiting and training new FTSU champions

#### **4.2 Freedom to Speak Up Training:**

The National Guardian's office plan to release the third session of their training series 'Follow Up' in April. There has been continued technical difficulties which has prevented the second session being introduced for managers to complete. It is hoped that this will be resolved shortly.

#### **5. Support for the Freedom to Speak Up Guardian**

- 5.1 The Trust is cognisant of the significant pressures faced by the Freedom to Speak Up Guardian because it is a standalone role without a team around it, the increasing number of cases and the complexity of those cases.
- 5.2 Below is the support that has been put in place to provide support and pastoral care for the Freedom to Speak Up Guardian in the last 12 months:
- Freedom to Speak Up Guardians Local Network – 6 weekly meetings to gain support and share learning with the FTSU Guardians from:
    - Cambridge University Hospital
    - Royal Papworth
    - Cambridgeshire and Peterborough NHS Foundation Trust
    - Cambridgeshire Community Services NHS Trust
  - Supervision Arrangements – monthly hour long session for the FTSU Guardian with external supervisor for pastoral support/coaching
  - 1-to-1s and other regular catch-ups with the Company Secretary as Line Manager
  - Meetings with the Non-Executive Lead for Speaking Up
  - Joint meetings with Chair and Chief Executive

## 6. National Staff Survey Results

- 6.1 The National Staff Survey results were published on 30<sup>th</sup> March 2022. The question set has changed this year to reflect the people promise and as a direct result the National Guardian's Office will no longer be publishing the Freedom to Speak Up index.
- 6.2 The 'We each have a voice that counts' element of the People Promise directly relates to Speaking Up and the results demonstrate the following:

<b>People Promise Element 'We all have a voice that counts' Overall results</b>				
<b>Question</b>	<b>North West Anglia NHS Foundation Trust</b>	<b>Best</b>	<b>Average</b>	<b>Worst</b>
We each have a voice that counts overall score	6.3	7.3	6.7	6.1
Autonomy and control	6.6	7.3	6.9	6.5
Raising concerns	6.1	7.3	6.4	5.7

<b>People Promise Element 'We all have a voice that counts' Detailed results</b>				
<b>Question</b>	<b>North West Anglia NHS Foundation Trust</b>	<b>Best</b>	<b>Average</b>	<b>Worst</b>
I would feel secure raising concerns about unsafe clinical practice	69.6	82.9	73.9	66.2
I am confident that my organisation would address my concern	50.0	75.7	57.6	44.1
I feel safe to speak up about anything that concerns me in this organisation	55.7	75.3	60.7	47.5
If I spoke up about something that concerned me I am confident my organisation would address my concern	41.5	67.2	47.9	31.9



Results over time					
Question	2017	2018	2019	2020	2021
I would feel secure raising concerns about unsafe clinical practice	69.1	73.2	71.3	69.9	69.6
I am confident that my organisation would address my concern	52.7	60.5	56.9	53.7	50.0
I feel safe to speak up about anything that concerns me in this organisation	<i>New question in 2020</i>			62.0	55.7

Benchmarking in local FTSU network for question 21e: I feel safe to speak up about anything that concerns me in this organisation	2020	2021
North West Anglia NHS Foundation Trust	62.0	55.7
Cambridge University Hospitals NHS Foundation Trust	69.5	67.5
Royal Papworth Hospital NHS Foundation Trust	68.4	67.0
Cambridgeshire and Peterborough NHS Foundation Trust	68.3	66.8
Cambridgeshire Community Services NHS Trust	77.9	75.4

6.3 The National Staff Survey Results show that the Trust was below average when compared to other Trusts on all questions relating to Speaking Up.

## 7. National Guardian's Office: Freedom to Speak Up Guardian Survey 2021

7.1 The National Guardian's Office published the results of the 2021 Freedom to Speak Up Guardian Survey in March.

7.2 The results show that 74.3% of FTSU Guardians who responded thought that the speaking up culture had improved in the organisation they support in the past year.

7.3 Of those who responded, 71% said that senior leaders supported workers to speak up, a fall from 80% the previous year.

7.4 Guardians perceived that the biggest barrier to speaking up is fear of retaliation and nearly a quarter said that staff feeling that nothing would be done about their concern had a very strong barrier to staff speaking up.

7.5 The report contains the following recommendations:

Senior leaders should deepen their support for speaking up by taking action to demonstrate learning from speaking up, tackling detriment and supporting further cooperation within organisations on all matters related to speaking up
To improve their ability to act as effective role-models for speaking up we encourage all senior leaders to complete the NGO/HEE 'speak up, listen up, follow up' training
Senior leaders should discuss the findings of the survey with their freedom to Speak Up Guardian and assess with them the amount of ring-fenced time and the balance of time available for reactive and proactive support for speaking up
There should be visible action on detriment for speaking up wherever this is reported
The frequency and status of training on speaking up matters should be reviewed so that Guardians and leaders can satisfy themselves that workers and those who support them have the knowledge and skills they need to speak up, listen up and follow up well
Senior leaders should take the necessary steps to tackle the perception that speaking up is futile, including ensuring appropriate action is taken when individuals speak up and that they are offered timely and meaningful feedback.

## 8. National Guardian's Office: Benchmarking

The National Guardian's office (NGO) requires all Freedom to Speak Up 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 of 2021/22.

	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 2021/22	Q3 2021/22	Q2 2021/22	Q3 2021/22	Q2 2021/22	Q3 2021/22	Q2 2021/22	Q3 2021/22	Q2 2021/22	Q3 2021/22
North West Anglia NHS Foundation Trust (Medium)	37	38	0	1	8	7	5	9	1	0
Cambridge University Hospitals NHS Foundation Trust (Large)	21	No data	1	No data	6	No data	6	No data	2	No data
Luton and Dunstable University Hospital NHS Foundation Trust (Medium)	4	No data	0	No data	0	No data	4	No data	0	No data
Milton Keynes University Hospital NHS Foundation Trust (Small)	1	9	0	0	1	2	0	4	0	3
Norfolk and Norwich University Hospitals NHS Foundation Trust (Medium)	No data	58	No data	3	No data	16	No data	10	No data	0
Royal Papworth Hospital NHS Foundation Trust (Small)	20	28	0	0	3	7	13	17	2	5

## 9. Priorities for the next 12 months

- Implement year 2 of the Freedom to Speak Up Strategy
- Implement the second and third FTSU training modules as soon as possible
- Further analysis of staff survey and NGO Guardian survey to identify actions required. Responding to the staff survey will require joint working with the Workforce and Organisational Development Team who lead on this work.
- Further analysis of emergent themes to identify lessons learnt
- Continue promotion of FTSU
- Communicate lessons learnt widely to encourage Speaking Up
- Continue collaborative working across the Trust to increase awareness and importance of Speaking Up
- Work collaboratively with Senior Leaders to implement recommendations in 7.5 above from the National Guardian's Office.

