

TRUST BOARD MEETING

21 May 2019

Paper Title:	Freedom to Speak Up Guardian – Annual Report for 2018/19
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Agenda Item:	15
Presented For:	Assurance
Paper Category:	Quality

Executive Summary:

The purpose of this paper is to provide assurance to the Trust Board that there is a process in place by which staff can safely raise concerns, and that concerns are dealt with. The report also provides a summary of activity which has occurred during 2018/19.

The report highlights the following:

- There has been an increase in cases reported year on year
- Developments to support staff in raising concerns
- Work undertaken by the Champions
- Responses to concerns
- The concerns raised during 2018/19

Recommendations:

That the Board:

- Note the work undertaken to ensure staff are aware of how to raise concerns and proposed actions for 2018/19;
- The increase in concerns received from the previous year, and that this is indicative that staff are aware of the process; and
- Confirm they are assured that the Trust has a process in place for staff to safely raise concerns and as a consequence ensure action is taken on any themes emerging or areas of concern with feedback provided to those raising concerns.

Governance/Audit Trail:

Meetings where this item has previously been discussed <i>(please mark with an X):</i>						
Audit Committee	x	Quality & Safety Committee		Remuneration Committee		Finance, Business & Investment Committee
Executive Management Team		Directors		Chair of Committee Meetings		Mental Health Legislation Committee
Council of Governors						

This report supports the achievement of the following strategic aims of the Trust: <i>(please mark those that apply with an X):</i>	
Quality and Workforce: to provide high quality, evidence-based services delivered by a diverse, motivated and engaged workforce	
Integration and Partnerships: to be influential in the development and delivery of new models of care locally and more widely across West Yorkshire and Harrogate STP	
Sustainability and Growth: to maintain our financial viability whilst actively seeking appropriate new business opportunities	

This report supports the achievement of the following Regulatory Requirements: <i>(please mark those that apply with an X):</i>	
Safe: People who use our services are protected from abuse and avoidable harm	x
Caring: Staff involve people who use our services and treat them with compassion, kindness, dignity and respect	x
Responsive: Services are organised to meet the needs of people who use our services	x
Effective: Care, treatment and support achieves good outcomes, helps to maintain quality of life people who use our services and is based on the best available evidence.	x
Well Led: The leadership, management and governance of the organisation make sure it's providing high-quality care that is based around individual needs, encourages learning and innovation, and promotes an open and fair culture.	x
NHSI Single Oversight Framework	x

Freedom to Speak Up Guardian – Annual Report

1. Background and Context

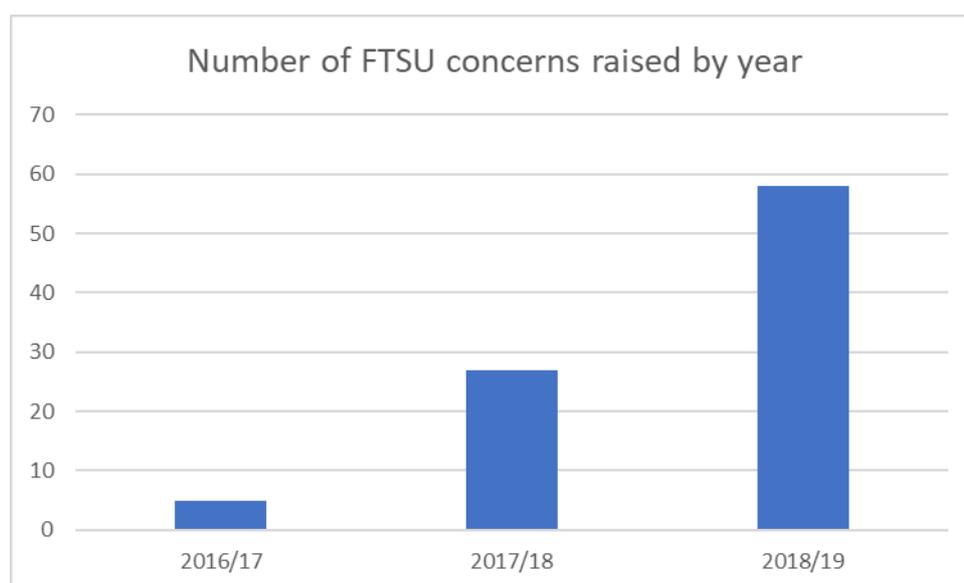
The Freedom to Speak up Guardian's (FTSUG) role is to lead the culture change within their own organisations. This involves supporting workers who wish to speak up, ensuring that they are thanked for speaking up, that the issues they raise are responded to, and making sure that they receive feedback on the actions taken as a result of them raising an issue.

2. Project/Proposal

2.1 Summary of cases received during 2018/19

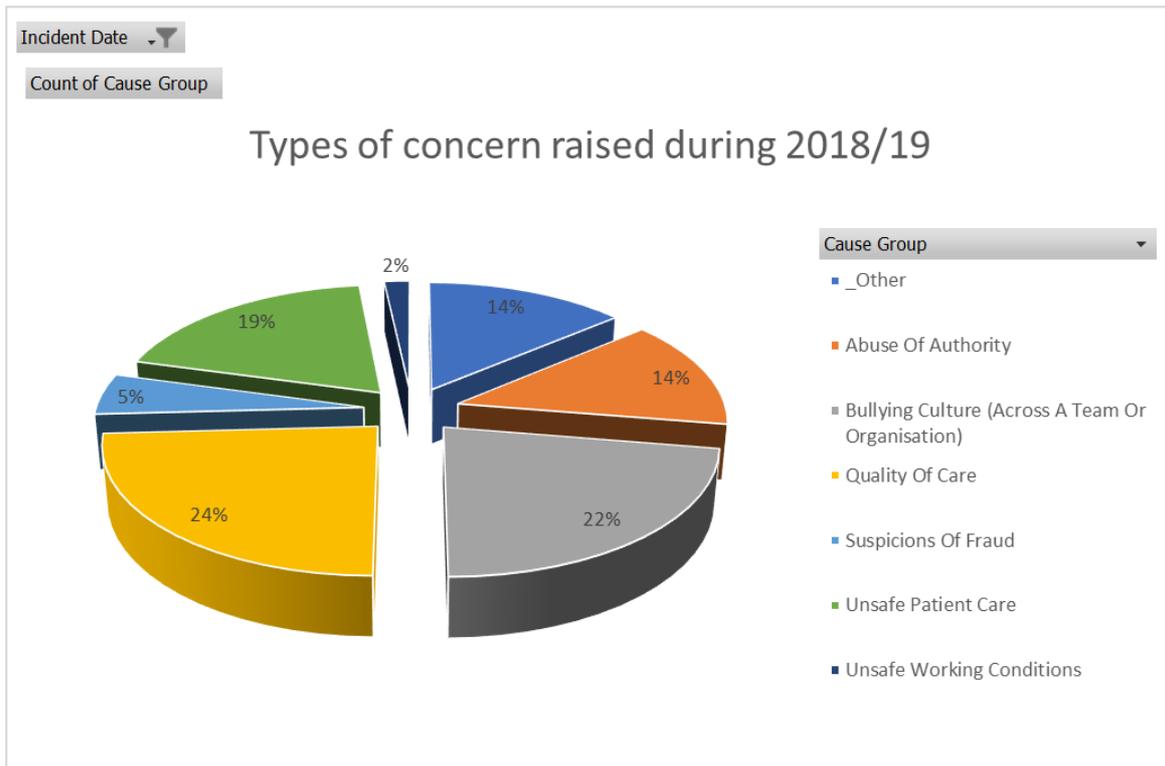
The concerns for this period have been received via different routes including an anonymous email, staff members raising concerns with managers, with champions and directly with the FTSUG.

During 2016/17 **5** cases of raising concerns were recorded. During 2017/18 **27** cases were recorded. During 2018/19 a total of **58** concerns have been raised via the guardian, managers, chief executive and champions.



2.2 Types of concerns raised in 2018/19

The issues raised have been varied and have included **staff safety, patient safety/quality** and **bullying/harassment**.

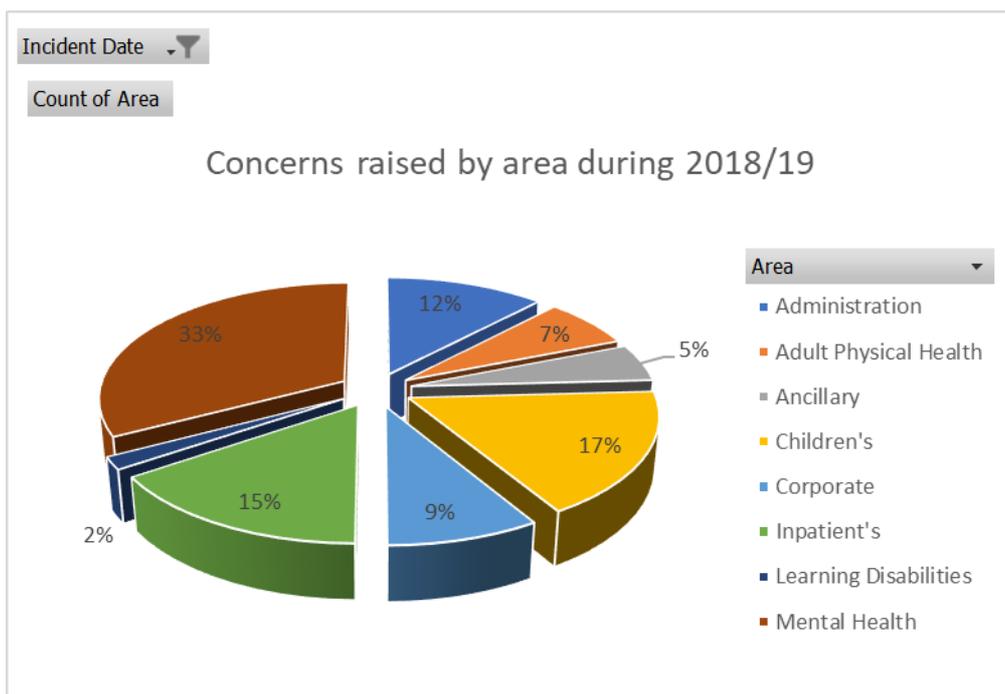


Some concerns have more than one area but for the purpose of this report the area of greatest concern is recorded.

Many of the concerns raised have been staff who have felt bullied by their manager and highlighted poor management styles. This has been apparent across a number of services over the past 12 months as highlighted in the annual data at the end of this report.

2.3 Areas in which concerns were raised

The area's in which concerns have been raised were, the majority were in mental health and inpatient's accounting for a total of 48%:



2.4 Improvements made as a result of concerns raised

Concerns have been dealt with by the relevant processes within the trust, for example where relevant, HR and operational management have been consulted with to decide on next steps in some cases for example HR Investigations have been undertaken where appropriate. In response to some concerns, action specific to individuals has occurred e.g. training for managers, additional support for staff raising concerns, changes to procedures.

The FTSUG and FTSU Deputy Guardian have dedicated time on a weekly basis to review cases, chase and update actions, receive feedback and liaise with services. This is captured on the Safeguard System (Freedom to speak up module), all communication with those who have raised a concern is recorded on this system, for example, emails, case reviews, phone calls and face to face conversations. This then provides an accurate and timely reflection of the trust's responses and management of cases. See appendix 1 regarding outcomes of concerns raised.

2.5 Actions taken to help staff raise concerns in 2018/19

- A Connect web page is in place. This includes details of the FTSUG, FTSUG champions and how to raise concerns. This has been updated following the change in guardian.
- The Freedom to Speak Up Champions have been inducted to the role and meet for peer supervision every 3 months. Work also continues to recruit more Champions.
- An online report form has been introduced for staff to report concerns. This is a standalone system to ensure confidentiality is maintained. Staff may also report concerns anonymously if they choose using this online system.
- Pop-up sessions are being trialled across the trust; this was in response to staff wanting to maintain confidentiality when wishing to raise a concern.
- The Senior Leadership Group are provided with two monthly updates on cases, actions and themes. Board receive a twice-yearly report.
- Regular meetings are held with the Deputy Director of HR and the Staff Side Chair, the Director of HR and the non-executive director responsible for FTSU to highlight any areas which may potentially be hotspots and triangulate information/feedback from those areas
- The FTSUG meets twice yearly with the chief executive and the chair to provide an update on concerns raised.
- The FTSUG has attended service areas to raise the profile of raising concerns. Champions have been included in this to share responsibility.
- The policy and standard operating procedure have been updated and are awaiting ratification

Actions in progress/planned for 2019/20

- Online training will be introduced for staff on how to raise concerns. It is intended this will be a requirement of the induction learning portal for new starters. There has been a delay in introducing this due to the deputy guardian attending regional training which will inform this training package.
- Actions will be monitored using the reporting system.

- Protected Characteristics will be requested when cases are closed, as part of the survey monkey feedback. This will be optional for the person raising concerns to disclose.
- Themes and trends will be reported to Board twice yearly.
- Business cards have been purchased and will be used to promote freedom to speak up. These will be issued to champions and available in areas where we can promote freedom to speak up.
- Pull up banner will be used to promote freedom to speak up.

3. Implications

3.1 Legal and Constitutional

None

3.2 Resource

Upgrade to band 6 for the deputy guardian.

Safeguard system.

Ongoing resources for training

3.3 Quality and Compliance

This paper provides assurance in relation to:

- *Fundamental Standard 12: Safe care and treatment* - staff have a safe way to raise concerns, which enables the Trust to look at any issues and take steps to manage any issues/risks.
- *Fundamentals Standard 13: Safeguarding service users from abuse and improper treatment* - any sort of abuse reported can be investigated properly.

Staff are able to raise concerns with the line manager/senior staff, they also now have a named person who they can also approach in confidence. The assurance provided will be from the staff survey, that staff are aware of how to raise concerns, rather than the numbers of concerns raised.

4. Risk Issues Identified

No risks are created but the freedom to speak up process creates another avenue to identify risk for the trust to be aware of.

6. Monitoring and review

Quality and Safety Committee will receive information on freedom to speak up issues in the quarterly data on the dashboard (unless an exception report is requested by Committee or there has been a significant increase in concerns reported). The annual report will be received by the Trust Board.

7. Timescales/Milestones

None

8. Recommendations

That the Board:

- Notes the work undertaken to ensure staff are aware of how to raise concerns and proposed actions for 2019/20;
- Notes the increase in concerns received from the previous year, and that this is indicative that staff are aware of the process; and
- Confirms they are assured that the Trust has a process in place for staff to safely raise concerns and as a consequence ensure action is taken on any themes emerging or areas of concern with feedback provided to those raising concerns.

Annual data 2018/2019

Month	Area	Reported to	Concerns	Outcome	Case Status
April 2018	Mental Health	FTSUG	Workload, turnover, working extra hours	Concerns have been addressed and fed back to staff.	Closed
April 2018	Mental Health	Chief Executive	Quality and safety processes changed and not many staff able to attend, reports service users are being discharged too soon and feel the service is target driven, also high turnover of staff	Not recorded on the system and new guardian in place, unknown.	Closed
April 2018	Children's	FTSUG	Bullying from managers across teams, safeguarding issues not being addressed.	Support plan in place.	Closed
April 2018	Children's	FTSUG	Near misses not being reported	SI took place and actions reported back to the team	Closed
April 2018	Children's	FTSUG	As above	As above	Closed
April 2018	Children's	FTSUG	As above	As above	Closed
April 2018	Mental Health	FTSUG	A member of the enrolment team is receiving therapy from the manager of the enrolment team, the person raising the concern is worried this is a conflict of interest	Debra Gilderdale undertaken 'what matters to you' conversations	Closed
May 2018	Administration	FTSUG	Unprofessional behaviour from manager, not adhering to trust values	Escalated outside of FTSU process.	Closed
May 2018	Adult Physical Health	FTSUG	Allegations of workplace bullying within the team	Recommendation to improve working in the team, case relates to personal issues between team members so no further FTSU work required.	Closed
May 2018	Adult Physical Health	FTSUG	Relates to case above	As above.	Closed

May 2018	Corporate	FTSUG	Administration of retire/return procedure stressful due to admin errors	Matter resolved by HR.	Closed
May 2018	Children's	FTSUG	Not able to manage own diaries – clinical risk associated with this	Actions completed and fed back to Health Visitors.	Closed
May 2018	Children's	FTSUG	As above	As above	Closed
June 2018	Administration	FTSUG	Concern that response to a complaint not dealt with, staff only received generic response when asked	Staff member did not wish to meet to discuss further	Closed
June 2018	Administration	FTSUG	Concerned that different support arrangements put in place for a consultant, the funding has impacted the admin service	Staff member did not respond to request to meet to discuss further	Closed
June 2018	Administration	FTSUG	As above	As above	Closed
June 2018	Administration	Drop-In	Staff felt mental health staff's behaviour towards them was not appropriate	Action taken by Simon Long, admin team manager to monitor	Closed
June 2018	Ancillary	FTSUG	Staff member concerned about being bullied by manager	Mediation agreed in line with HR procedure	Closed
June 2018	Ancillary	FTSUG	Staff members concerned about managerial approach, felt bullied	FTSUG and Liz met with staff who reported a noticeable improvement in the behaviour of the manager	Closed
June 2018	Ancillary	FTSUG	As above	As above	Closed
June 2018	Mental Health	Anonymous	Concern around a doctor's timekeeping was poor, turning up late for clinics	Medical director and deputy made aware	Closed
June 2018	Mental Health	FTSUG	Racial issues and feeling victimized	Review of procedures	Closed
July 2018	Adult Physical Health	FTSUG	Bullying from staff from other organisations, concerns over proposed redesign and delivery of care	Investigation was undertaken and concluded	Closed
July 2018	Mental Health	FTSUG	Bullying from manager, changes to service and being target driven	Staff member did not wish to pursue	Closed

July 2018	Inpatient's	FTSUG	Bank staff member not being given key/fob until handed over bank card or car keys, reports of bullying	Clinical manager apologised to bank staff member and re-assured this would not happen in the future	Closed
July 2018	Adult Physical Health	FTSUG	Concern about process for allocation of bank shifts and team dynamics	Local resolution	Closed
July 2018	Inpatient's	FTSUG	Concerns about ward managers behaviour towards staff member, not treated fairly	Issues addressed by clinical manager with ward manager	Closed
July 2018	Mental Health	FTSUG	Concerned about length of waiting list	Investigation ongoing	Open
Aug 2018	Inpatient's	Anonymous	Concerns over staff member picking shifts for someone else	Reviewed and assurances in place that matter is monitored	Closed
Aug 2018	Corporate	FTSUG	Bullying culture	No further action required	Closed
Aug 2018	Mental Health	FTSUG	Caseloads too big, staff don't feel this is safe	Investigation taken place	Closed
Aug 2018	Inpatient's	FTSUG	Concerns about behaviour's on ward, lack of professionalism	Staff member moved; ward manager spoken to about behaviour	Closed
Aug 2018	Corporate	FTSUG	Blocking agency staff without proper investigations	Actions have been addressed – staff bank management procedure now in place	Closed
Aug 2018	Children's	FTSUG	Concerns raised about actions of manager	Phil Hubbard addressed the actions and fed back	Closed
Aug 2018	Mental Health	FTSUG	Concerns about management style	Unable to obtain further information	Closed
Aug 2018	Corporate	FTSUG	Concerns around SystemOne not being fit for purpose	Still being looked into	Open
Sep 2018	Mental Health	FTSUG	Concerns about caseloads, lack of admin, management behaviour, bullying culture	Investigation undertaken	Closed
Sep 2018	Children's	FTSUG	Concern around staff being moved to the other side of the district	Actions being investigated under a related case	Closed
Sep 2018	Inpatient's	Anonymous	Concern raised about agency staff member retrieving a cigarette lighter from the front of a service users' trousers	No further actions	Closed
Sep 2018	Mental Health	FTSUG	Concerns raised about size of caseloads, bullying and attitude of manager	Investigation undertaken	Closed
Sep 2018	Mental Health	FTSUG	See above	Investigation undertaken	Closed

Sep 2018	Mental Health	FTSUG	See above	Investigation undertaken	Closed
Oct 2018	Children's	FTSUG	Concerns about change to ways of working and bases	All actions have now been completed	Closed
Oct 2018	Corporate	FTSUG	Concerns around transition to SystemOne – not being fit for purpose and training	Still being looked into	Open
Oct 2018	Inpatient's	FTSUG	Concern around dignity of a service user on the ward	Investigated and ward reminded about dignity of service user's	Closed
Oct 2018	Inpatient's	FTSUG	Concern that recruitment did not follow process, staff bullying	Recruitment process investigated	Closed
Oct 2018	Administration	FTSUG	Admin hub not being clear on procedure for suicidal service users when phoning SPA	Admin manager recirculated procedure to SPA	Closed
Oct 2018	Learning Disabilities	FTSU Champion	Lack of respect from management to staff below their banding	Staff member does not wish to pursue	Closed
Oct 2018	Mental Health	FTSUG	Relates to another concern raised about the service and the handling of this concern	Staff member does not wish to pursue	Closed
Oct 2018	Children's	FTSUG	Concern around legal statement process in safeguarding	Investigation occurred and support put into place	Closed
Nov 2018	Mental Health	Anonymous	Concerns raised about staff behaviour, fraud and recruitment process	Investigation is ongoing	Open
Nov 2018	Mental Health	FTSUG	Concern around staffing on the wards	Support put into place for the staff member	Closed
Dec 2018	Mental Health	FTSUG	Inappropriate behaviour from staff towards reception staff when covering clinics	Investigation ongoing	Open
Dec 2018	Mental Health	FTSUG	Concern raised by ex-employee	Investigation occurred and none of the concerns raised were found by the investigator	Closed
Feb 2019	Administration	FTSUG	Concern raised that a staff member may be working when off work	Investigation occurred and found nothing untoward	Closed
Feb 2019	Mental Health	Director of nursing	Various concerns about a service and the management	Investigation is ongoing	Open
Mar 2019	Inpatient's	FTSUG	Incident on a ward followed by inappropriate behaviour from staff	Investigation is ongoing	Open
Mar 2019	Inpatient's	FTSUG	Agency worker banned from shifts without proper investigation	Referred to HR	Closed

