

Board of Directors – Meeting held in Public 10 November 2022

Paper title:	Freedom to Speak Up Guardian Thematic 6 monthly report (Q1 & Q2 2022/23)	Agenda Item 25
Presented by:	Phillipa Hubbard, Deputy Chief Executive, Director of Nursing, Professions and Care Standards, DIPC	
Prepared by:	Rebecca Wixey, Freedom to Speak Up Guardian Joe Cohen, Freedom to Speak Up Guardian Emma Greenwood, Freedom to Speak Up Deputy Guardian	
Committees where content has been discussed previously	N/A	
Purpose of the paper Please check ONE box only:	<input type="checkbox"/> For approval <input checked="" type="checkbox"/> For information <input checked="" type="checkbox"/> For discussion	
Link to Trust Strategic Vision Please check ALL that apply	<input checked="" type="checkbox"/> Providing excellent quality services and seamless access <input checked="" type="checkbox"/> Creating the best place to work <input checked="" type="checkbox"/> Supporting people to live to their fullest potential <input type="checkbox"/> Financial sustainability, growth and innovation <input checked="" type="checkbox"/> Governance and well-led	
Care Quality Commission domains Please check ALL that apply	<input checked="" type="checkbox"/> Safe <input checked="" type="checkbox"/> Caring <input checked="" type="checkbox"/> Effective <input checked="" type="checkbox"/> Well-Led <input checked="" type="checkbox"/> Responsive	

Purpose of the report
This paper provides information about Freedom to Speak Up activity in quarters 1 and 2 of 2022/23. It is presented in a format to comply with the Guidance for Boards on Freedom to Speak Up in NHS trusts and NHS foundation trusts, published by the office of the National Guardian FTSU and NHSE/I in July 2019.

Executive Summary
The key issues are:

1. A new category has been introduced by the NGO: “Number of cases with an element of other inappropriate attitudes or behaviours”. The category “Number of cases with an element of worker safety” has been replaced by “Number of cases with an element of worker safety or wellbeing”. This potentially impacts on ability to compare categories year on year.
2. A total of 48 cases were reported to the BDCT Guardian team in Q1 & Q2. This is an increase of 8 (20%) from the same period last year.
3. In line with a national trend, we have a higher number of worker safety/wellbeing, other inappropriate behaviours, and bullying/harassment cases than patient safety/quality of care.
4. The number of cases with perceived disadvantageous or demeaning treatment as a result of speaking up has decreased and was 0 for Q1 & Q2
5. The number of colleagues raising cases anonymously remains low, which may reflect trust in the Guardian process and culture more widely, however it did increase in Q2.
6. Work is ongoing to improve access to the FTSU Guardian route and the speak up/listen up culture.
7. Responses to the FTSU satisfaction survey are generally positive with 75% saying they would speak up again in Q1 & Q2.
8. Speaking up cases have resulted in local learning and improvement.

Results of the latest quarterly staff survey indicate that only 46% of colleagues who responded believe that if they spoke up about something that concerned them, the Trust would address their concern.

Do the recommendations in this paper have any impact upon the requirements of the protected groups identified by the Equality Act?

- Yes** (please set out in your paper what action has been taken to address this)
- No**

Recommendation(s)

The Board of Directors is asked to:

- Note the contents of the report

Relationship to the Board Assurance Framework (BAF)

<p>The work contained with this report links to the following strategic risks as identified in the BAF:</p> <ul style="list-style-type: none"> ❑ SO1: Engaging with our patients, service users and wider community to ensure they are equal partners in care delivery (QSC) ❑ SO2: Prioitising our people, ensuring they have the tools, skills and right environment to be effective leaders with a culture that is open, compassionate, improvement-focused and inclusive culture (WEC) ❑ SO3: Maximising the potential of services to delivery outstanding care to our communities (QSC) ❑ SO4: Collaborating to drive innovation and transformation, enabling us to deliver against local and national ambitions (Board) ❑ SO5: To make effective use of our resources to ensure services are environmentally and financially sustainable and resilient (FBIC) ❑ SO6: To make progress in implementing our digital strategy to support our ambition to become a digital leader in the NHS (FBIC) 	
<p>Links to the Strategic Organisational Risk register (SORR)</p>	<p>The work contained with this report links to the following corporate risks as identified in the SORR:</p> <ul style="list-style-type: none"> • N/A
<p>Compliance & regulatory implications</p>	<p>The following compliance and regulatory implications have been identified as a result of the work outlined in this report:</p> <ul style="list-style-type: none"> • It is a requirement of the NHS standard contract that providers appoint one or more Freedom To Speak Up Guardians to fulfil the role set out in and otherwise comply with the requirements of National Guardian’s Office Guidance – this report seeks to demonstrate how the Trust is complying with this guidance.

Meeting of the Board of Directors

10 November 2022

Freedom to Speak Up Bi-annual Report (Q1 & Q2 2022/23)

Introduction

This paper provides information about FTSU activity for the period April to September 2022. The format complies with the 2018 and 2019 publications by the National Guardians Office (NGO) and NHS Improvement published guidance concerning FTSU Guardians Board Reporting.

Section 1 - Assessment of FTSU cases April to September 2022

Section 2 - Themes

Section 3 - Learning and improvement from Q1 & Q2

Section 4 - Actions taken to improve access to the FTSU Guardian route

Section 5 - Speaking up/listening up culture and actions taken to improve culture

Section 6 - National/regional activities and information

Section 7 - Future actions

Section 8 – Other news

Section 1 - Assessment of FTSU cases Q1 & Q2, 2022/23

Table 1 shows the total number of cases from April to September 2022, broken down into those with an element of patient safety/quality of care, bullying and harassment, worker safety or wellbeing and other inappropriate attitudes or behaviours. The table also shows the numbers of colleagues who wanted to remain anonymous to the Guardian and the numbers who considered they had experienced disadvantageous and/or demeaning treatment because of speaking up. Please note that some cases involve a number of different matters, and this is reflected in the figures.

Table 1 – Overview of Cases April to September 2022

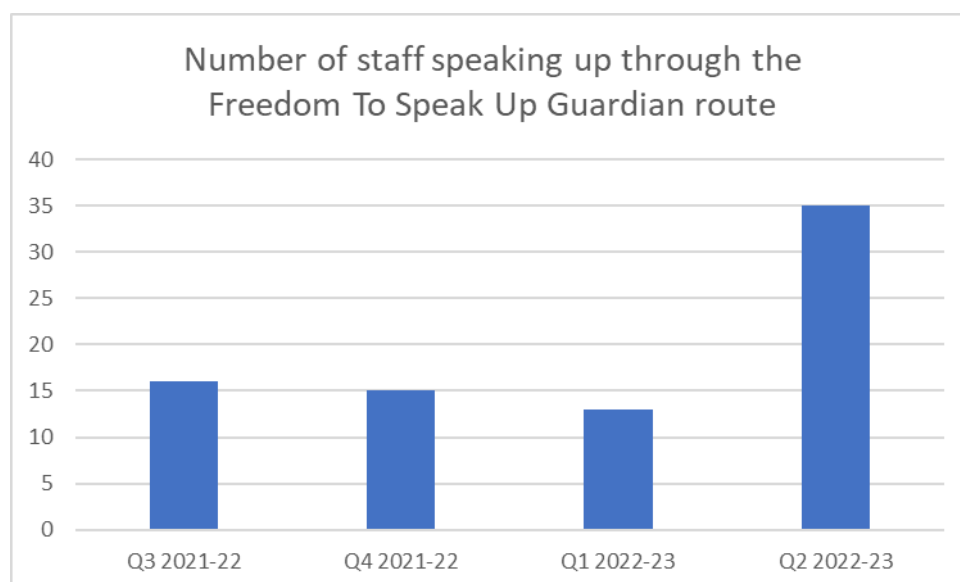
Item	2020/21	2021/22	Q1 & 2 2022/23
Total no of cases	57	71	48
Patient safety and quality of care concerns	9 (16%)	16 (23%)	6 (12.5%)
Bullying and harassment concerns	21 (37%)	33 (47%)	6 (12.5%)
Worker safety or wellbeing concerns*	Not collected	13 (18%)	41 (85%)
Concerns related to other inappropriate attitudes or behaviours	Not collected	Not collected	23 (48%)
Colleagues wishing to remain anonymous to Guardian	8 (14%)	4 (6%)	4 (8%)

Colleagues perceiving an element of disadvantageous and/or demeaning treatment as a result of speaking up	2 (4%)	10 (14%)	0 (0%)
Number of staff completing survey who say they would speak up again	8	17	6

* Please note change in wording to include worker wellbeing from 1 April 2022. This may have influenced the rise in cases compared to 2021/22.

Figure 1 shows the number of FTSU cases by quarter. Only cases that involve colleagues directly contacting the Guardian or the Deputy Guardian for advice or support in speaking up can be classified as FTSUG cases. Board members will note the spike of cases in Q2 compared to previous quarters. Please note that 12 of these cases relate to a team which came forward to speak to the Deputy Guardian together. According to NGO guidance each person speaking up to a Freedom to Speak Up Guardian should be counted as a separate case even if they are speaking up about the same issue, together or separately.

Figure 1



Number of colleagues speaking up by professional groups in Q1 and Q2 2022/23

	Q1	Q2	Total
Additional clinical services	0	5	5
Additional professional scientific and technical	4	0	4
Administrative and clerical	3	8	11
Allied Health Professionals	1	14	15

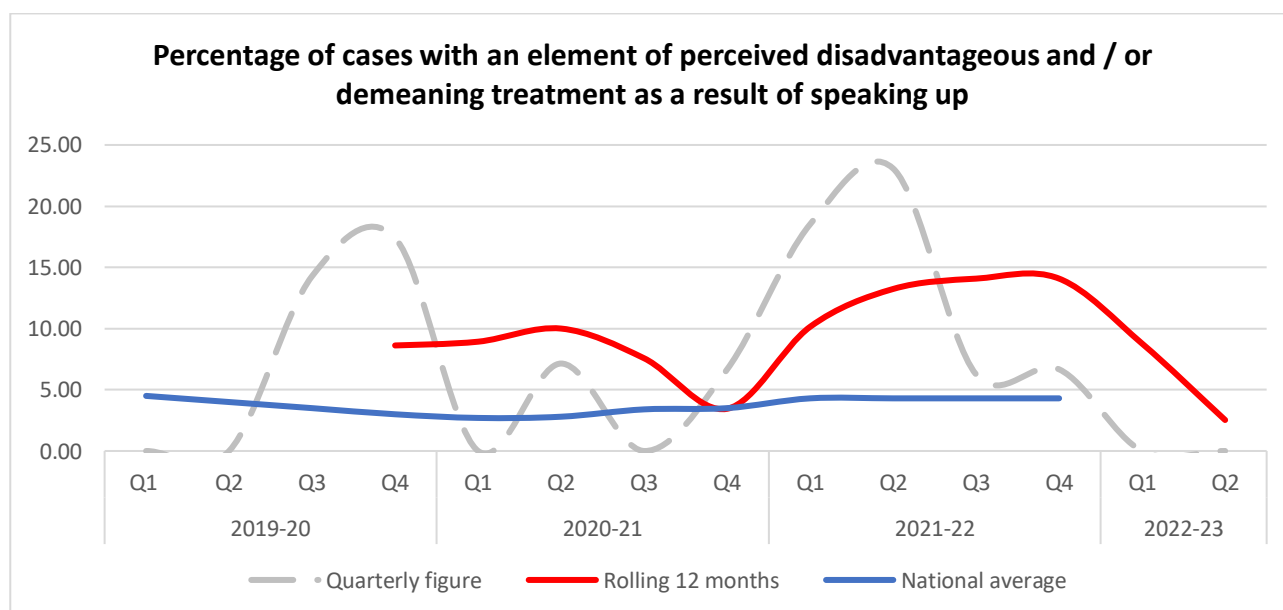
Estates and ancillary	0	1	1
Healthcare scientists	0	0	0
Medical and dental	0	0	0
Nursing and midwifery registered	4	5	9
Students	0	1	1
Other	0	0	0
Not known	1	1	2
Total	13	35	48

Please note professional/worker groups were updated from 1 April 2022.

Number of colleagues with an element of perceived disadvantageous and/or demeaning treatment as a result of speaking up

Figure 2 shows the percentage of cases with an element of perceived disadvantageous and/or demeaning treatment (detriment) as a result of speaking up. Our percentage is on average higher than the national average, but has reduced in Q1 & Q2 to be lower than the national average.

Figure 2



Section 2 – Themes

Figure 3 provides a longitudinal view of FTSU cases and the frequency in which different themes have appeared for 2019/20, 2020/21, 2021/22 and 2022/23 to end of Q2. Over the three-and-a-half-year period, more colleagues have spoken up with concerns about bullying and harassment than direct patient safety/quality concerns. This is in line with a national trend.

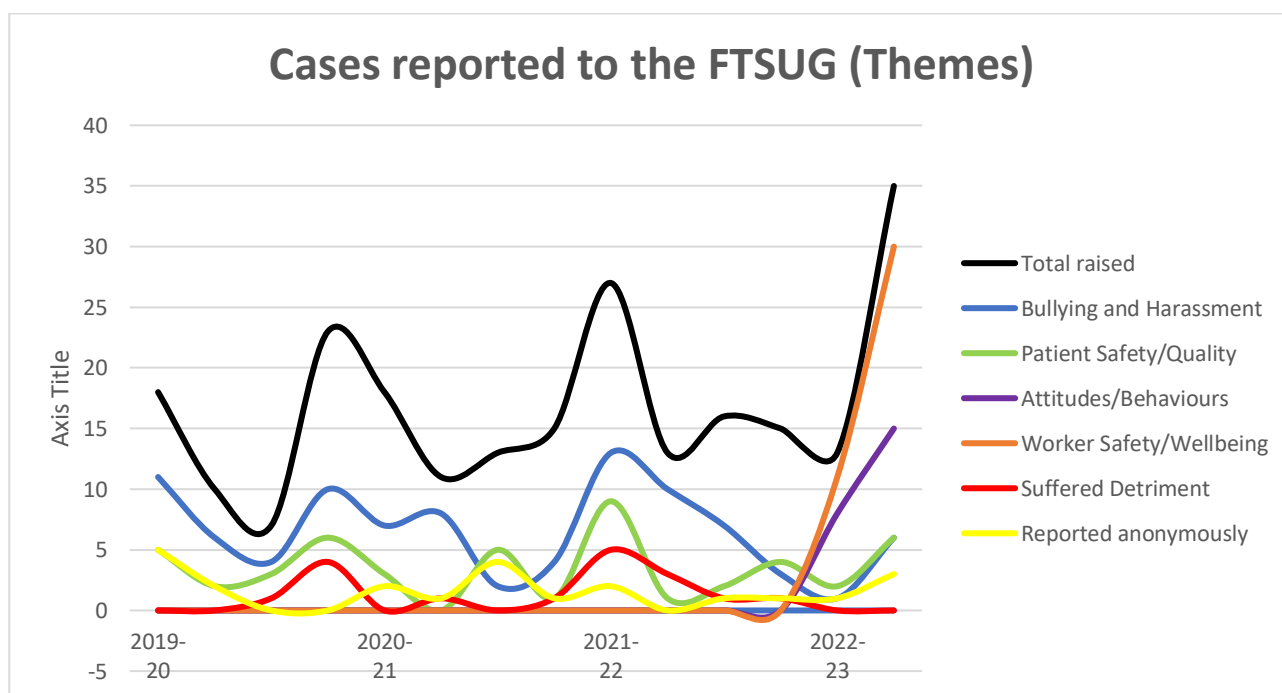
For the first half of 2022/23, the main themes spoken up about were:

- Poor management styles/behaviours within teams
- Bullying culture
- Unfair recruitment/nepotism
- Unsafe staffing

As noted in section 1, 12 cases raised in September related to the same issue.

Two new categories which were ‘Attitudes/Behaviours’ and ‘Worker Safety/Wellbeing’, were added in 2022-23 there is therefore no data for those categories prior to this year.

Figure 3



Section 3 - Learning and improvement

Managers/leaders are asked to identify the changes made, lessons learnt and any transferable learning that results from FTSU cases. They are responsible for ensuring the

implementation of the learning relevant to their service area and for sharing transferable learning within appropriate forums/structures.

The Guardian shares themes and overall learning from cases at the Board of Directors, the Workforce and Equality Committee, Quality & Safety Committee, the Patient Safety and Learning group and the monthly meeting with staff side chair, HR and the EDI leads.

Changes made following colleagues speaking up through the FTSU Guardian route in quarters 1 & 2:

- Recruitment team now aware of the need to direct any specific requests for feedback following an interview to the recruiting manager to request they offer further guidance rather than saying we do not provide feedback.
- Practice Educator to visit ward to support preceptees
- HR/EDI looking at improving training offer re reasonable adjustments and review of both the disability policy and the attendance policy.
- Organisational Development Facilitator meeting with team to look at any support needed and potentially do some further work with them around team dynamics
- Patient safety review undertaken on inpatient ward - areas of improvement are around knowledge of refeeding and signs and symptoms to be aware of, as well as actions to take when this occurs. A further area of improvement is in the completion and recording of nutritional and fluid intake charts.
- Walkabout/site visit being arranged by Estates team in relation to (lack of) facilities on ward area.
- Deployed psychological therapy support across the ward teams to offer additional reflective time and space during period of higher acuity/challenging service users to support team wellbeing and morale.

The following two case studies give insight into the FTSU process, the changes made and identified learning:

Case Study 1

1. A concern was received via the anonymous reporting form on the Freedom to Speak Up Connect page. The anonymous reporter explained that they felt the current lone worker system was not reliable or safe, in particular the texting procedure.
2. The Deputy Guardian contacted the service manager asking them to look into the concern and provide a suitable response.
3. The issue was discussed in the Quality and Safety meeting and managers were asked to discuss the duty role and function in teams and ensure robust use of the duty text procedure. Managers were asked to remind staff to highlight any issues to their managers without reproach or they can approach the clinical manager for a confidential conversation about concerns. All relevant policies and procedures were also attached for reference.
4. The Deputy Guardian has added the outcome of the concern to the 'you said, we did' section of the Connect page as we were unable to respond directly to the anonymous reporter.

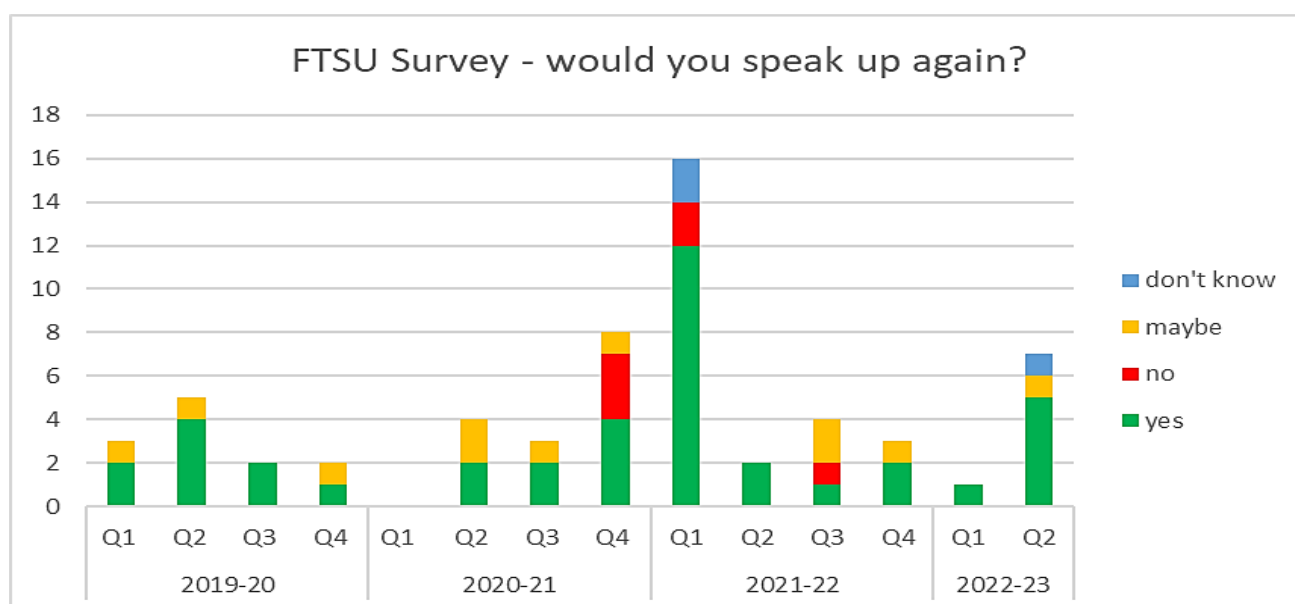
Case Study 2

1. X approached the Guardian at one of their open door/drop-in sessions to raise a concern about band 8a posts being advertised internally within teams meaning that people in the wider directorate were unable to apply.
2. The Guardian raised this with the Recruitment team, who were not aware of recruitment for this post.
3. The Guardian then spoke with the Service Manager who confirmed that given the time-sensitive nature of getting someone into the post (it being a one-year secondment), and the specific requirements around skill set and experience, they had made the decision to ring-fence the post and only advertise this within the team in question.
4. The Service Manager had reflected on this and realised why it may not have felt a transparent process to other colleagues within the wider directorate, and will consider putting out the advert to the whole Trust next time there is a similar situation.
5. The rationale for the ring-fenced advertisement of the role was fed back to the individual who understood the reasoning behind this and was happy that it had been raised with the Service Manager.

Feedback about FTSU process

Once a case is closed a survey is sent to the person who spoke up asking questions about their experience of the FTSU process and if they would speak up again. Figure 4 overleaf shows the number of people completing the survey and the response to the question “would you speak up again?” People who said they would not speak up again said while they were satisfied that their concerns had been escalated appropriately and in a timely way they were not satisfied with the response from manager/leaders. Please note cases may be closed in a different quarter to when they were raised, so numbers saying they would speak up do not necessarily relate to cases raised in that quarter.

Figure 4



Qualitative feedback provided to the team is generally positive; some examples from the first half of the year are provided below.



Section 4: Actions taken to improve access to the FTSU Guardian route

➤ Communication Plan

The FTSU communication plan was reviewed and revised to accommodate the ongoing challenges of COVID-19 and further improve the way we ensure that the FTSU message is communicated widely to all staff groups. This includes methods such as e-Updates, monthly rotating screensavers, vlogs, new promotional materials (posters, leaflets and business cards), virtual presentations at team meetings/other forums, use of social media and messages in payslips, as well as starting to re-introduce face-to-face contact, where appropriate.

• Anonymous reporting

In preparation for the closure of the Work in Confidence system at the end of September 2022, we introduced and advertised a new anonymous reporting form which can be accessed via the FTSU Connect site. This was launched at the start of August and 2 colleagues have used this mechanism of reporting during the quarter.

• Colleagues facing additional barriers to speaking up

Inequality, racism, homophobia, and disability discrimination mean for some colleagues speaking up is more difficult. In order to try and get some more intelligence on this locally, we undertook a survey with the staff networks asking members about any barriers they perceive or have experienced to speaking up. A number of themes came up around:

- Worry about being seen as a troublemaker
- Fear of repercussions such as losing their job or issues with career progression

- Felt nothing would be done (fear of futility)
- Biases and conflicts of interest
- Not being believed or listened to.

Interestingly these are the same themes as those cited by wider staff groups when asked what might stop them from speaking up and clearly ongoing cultural improvements are needed to tackle these issues, many of which are closely linked together. It is also important to note that a number of colleagues responding to the survey did also feel that their protected characteristic(s) impacted upon this further.

The Chairs of each of the staff networks have also been invited to come and speak at our regular Ambassador support meetings to discuss the different barriers some colleagues may face and consider what we could do differently to support them.

Section 5 – Speaking up/listening up culture

The latest Quarterly Staff Survey held in July 2022 included the question “If I spoke up about something that concerned me, I am confident my Trust would address my concern”. Unfortunately, responses to this question have deteriorated since the 2021 National Staff Survey with the positive score down from 57.8% to 46%. We will continue to monitor this in the next quarterly survey and consider any additional actions we can take in response to further deterioration.

Q11. If I spoke up about something that concerned me, I am confident my Trust would address my concern.	TAD Q4 21/22	TAD Q1 22/23	TAD Q2 22/23
Strongly disagree	-	-	53 13%
Disagree	-	-	62 15%
Neither agree nor disagree	-	-	104 26%
Agree	-	-	131 33%
Strongly agree	-	-	53 13%
Missing	-	-	2
Positive Score	-	-	46%
Negative Score	-	-	29%
Base	-	-	403

Action taken to improve the ‘speak up, listen up, follow up’ culture

A number of actions have been taken during Q1 & Q2 this year to improve the culture:

➤ Training

The Trust took the decision to mandate the National Guardian’s Office “Speak Up” eLearning in 2021, and as at 22/09/2022, 3223/3379 staff members required have completed it (95.4%).

➤ NGO gap analysis

The gap analysis against recommendations from National Guardian’s Office case studies has been completed (please see Appendix 1) and any actions arising added to the FTSU action plan.

➤ A Kind Life OD programme

An implementation group has been established to help drive forward the organisational development programme commissioned from *A Kind Life Ltd*. The project focuses on respectful resolution of bullying & harassment, creating kinder cultures in the workplace and includes supporting people to speak up as a key element of this. The aim is to integrate the ethos and resources into as many ongoing work streams as possible for maximum impact and to avoid any duplication of effort. This includes FTSU training and presentations as well as a variety of HR trainings and processes.

➤ **Crowdsourcing**

Completion of the crowdsourcing exercise to develop a new FTSU strategy, which was approved by Board in July 2022.

➤ **You Said We Did**

A number of examples of actions taken in response to FTSU concerns have been added to the team's Connect site along with a case study sharing the positive experience of someone who recently spoke up (anonymised and shared with permission).

Section 6 - National/Regional activities and information

➤ **National Publications**

The NGO published updated guidance on Recording Cases and Reporting Data which came into effect on 1 April 2022. The main changes are:

- A new category has been introduced: “Number of cases with an element of other inappropriate attitudes or behaviours”
- The category “Number of cases with an element of worker safety” has been replaced by “Number of cases with an element of worker safety or wellbeing”
- The professional/worker group categories have been updated.

NHS England/NHS Improvement have now published their refreshed Freedom to Speak Up Policy for the NHS, alongside a new Reflection and Planning Tool for completion by Trust Boards.

The NGO did not publish any new case reviews during Q1 or Q2.

➤ **Training & Development**

The NGO “Follow up” training for senior leaders, including Executive and Non-Executive Directors, lay members and governors was released in April 2022. It is recommended that all members of the Board undertake this eLearning at the earliest opportunity.

New annual refresher training has been released by the NGO and all BDCT Guardians have completed this.

An offer of psychological supervision/reflective space is being worked up by the Staff Mental Health and Wellbeing Hub at the West Yorkshire Health and Care Partnership which will be available for free for all Guardians in the region on a monthly basis.

➤ **Leading in Practice Review**

In July 2022 the BDCT Guardian participated in the ‘Leading in Practice’ review with Lord Evans (Committee on Standards in Public Life) along with 5 other Guardians from the region. The purpose of the session was to discuss our views on the Freedom to Speak Up Guardian role, the difference it has made, and how Freedom to Speak Up works in practice in the NHS. The Committee will be writing a report on what leaders can do to create an environment where people feel confident to act in line with standards that contribute to an ethical culture.

➤ **BDCT featured as a case study on NGO website**

In September a case study was published by the NGO focusing on the crowdsourcing exercise we used to develop our FTSU strategy. This will also be shared with other Guardians across the country in the NGO bulletin.



“Crowdsourcing was used by the team to **simplify** and **clarify** some of the Freedom to Speak Up Strategy’s **objectives** and ensure that the actions that underpin them have **strong support from colleagues.**”

Rebecca Wixey

Freedom to Speak Up Guardian at Bradford District Care Trust

Section 7 – Future actions

Joe Cohen has been appointed as Guardian on an interim basis to cover Rebecca Wixey’s maternity leave from 1 October. He brings a wealth of experience from his time as Guardian at Leeds Teaching Hospitals Trust. Over the next year he will be facilitating and overseeing completion of the FTSU action plan including the following key elements:

Board

- FTSU Board Development session planned for December 2022
- Completion of the new ‘reflection & planning tool’ (replaces the board self-review tool completed last year)
- Completion of NGO “Follow up” eLearning by Execs, Non-Execs and governors

Staff Engagement/Publicity

- Various activities planned as part of the annual October 'Speak Up' month including a library display with relevant books, lighting up New Mill green and the Guardian speaking at the monthly Schwartz Round
- Ongoing work in line with the detailed communications plan including further attendances at staff network meetings, open door/drop-in sessions, rolling screensavers etc

Learning and Development

- Creation of a guidance document for all staff in conjunction with HR, EDI and staff side signposting colleagues to the best routes for different types of concerns.
- Continued roll out of the organisational development programme with *A Kind Life Ltd* including eLearning, Respectful Resolution pathway, and train the trainer opportunities.
- Delivery of FTSU study sessions for managers.

Policy & Strategy

- Review of the BDCT policy against the new national template
- Ongoing implementation of the comprehensive action plan developed as a result of the crowdsourcing exercise and gap analysis to support delivery of the FTSU strategy.

Section 8 – Other news

We are thrilled that Emma Greenwood, Deputy Guardian won a You're a Star Award in the category of non-clinical star in September. This is a fantastic endorsement of the dedicated work she has undertaken to support colleagues through the FTSU process.



References

[Committee on Standards in Public Life announces review on leadership and public standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/committee-on-standards-in-public-life-announces-review-on-leadership-and-public-standards)

[Crowdsourcing a Freedom to Speak Up Strategy together with workers - National Guardian's Office.](https://www.theguardian.com/uk-news/2022/oct/03/crowdsourcing-a-freedom-to-speak-up-strategy-together-with-workers)

Appendices

Appendix 1 – Completed Gap Analysis from NGO Case Reviews

Name of author/s: Rebecca Wixey/Emma Greenwood

Title/s: Freedom to Speak Up Guardian/Freedom to Speak Up Deputy Guardian

Date paper written: 03/10/2022

Appendix 1 - Freedom to Speak Up Gap Analysis Tool

Review undertaken by: Rebecca Wixey, FTSU Guardian

Date of review: September 2022

WORKERS				
	Existing provision /gaps	Action needed	Authorised action/ date for completion	Review date
<p>Valuing workers' views</p> <p>Workers' views should be valued, including consulting about changes to their services where appropriate.</p>	<p>Examples: Wakefield 0-19 service - consultation with staff before putting bid in to discuss what new model could look like. Current transformation work in community nursing - including meetings with staff. Estates reconfiguration. Any consultations go through Staff Partnership Group. Various crowdsourcing campaigns undertaken to demonstrate views are valued in creation of digital strategy, belonging & inclusion plan, FTSU strategy etc. Actions taken in response to National Staff Survey results and fed back to staff via Exec Broadcast.</p>	<p>Sept 2022 recent FTSU concern at Lynfield Mount suggests there is still some work to do with regards how change management is handled and communicated to colleagues.</p>		
<p>Speaking up culture</p> <p>A suitably independent review of the speaking up culture in the service relating to... [the case reviewed by the NGO] should be undertaken. All necessary steps to implement its findings without undue delay should be taken. Given the evidence of fear of speaking up in this service, the review should take all reasonable steps to protect individuals' confidentiality.</p>	<p>Recommendation specific to Nottingham review. However we have undertaken a crowdsourcing conversation on FTSU (March 2022) which collected anonymous views of workers across the Trust to better understand the speaking up culture. Questions also monitored in National Staff Survey.</p>			
<p>Support to speak up</p>	<p>Local FTSU policy meets NGO requirements as identified.</p>	<p>Review of FTSU policy due November 2022 in line with new national guidance.</p>	<p>FTSUG</p>	<p>Nov 2022</p>

<p>Policies and procedures relating to speaking up (including the reporting and handling of incidents) should:</p> <p>refer to the support available for workers to speak up from the Freedom to Speak Up Guardian and Freedom to Speak Up Champions/Ambassador;</p> <p>make clear that all workers can seek support, about any issue, from the Freedom to Speak Up Guardian enable those who speak up to have access to appropriate support. They should be made aware of and appropriately supported to access this support in a timely way</p> <p>ensure that letters to suspended workers accurately state their ability to access their Freedom to Speak Up Guardian or Freedom to Speak Up Champion/Ambassador.</p>	<p>FTSU strategy also in place from July 2022.</p> <p>Letters to suspended workers state their ability to access the Freedom to Speak Up Guardian.</p>	<p>Full review of incident reporting policy and Supporting Staff Involved in an Incident, Complaint or Claim Policy planned Autumn 2022.</p>	<p>Head of Patient Safety, Compliance and Risk</p>	<p>Nov 2022</p>
<p>Responding to speaking up</p> <p>The response to issues raised by workers should be in accordance with policies, procedures and good practice.</p> <p>Workers who speak up should be meaningfully thanked.</p> <p>The response to cases of workers speaking up, including decisions relating to the investigation of those cases, should not focus on whether the matters in those cases are qualifying or protected disclosures under the Public Interest Disclosure Act 1998.</p> <p>Effective communication with those speaking up should be promoted in order to manage expectations effectively.</p> <p>Workers who speak up should be treated in accordance with the values of the organisation (where the NGO undertook its review): <i>openness, care, compassion and respect</i>.</p> <p>Work should be completed to help workers – particularly those responsible for responding to</p>	<p>Issues raised are responded to in line with Trust policies.</p> <p>All workers speaking up are thanked for doing so – a question to confirm this is included in the survey sent out on closure of a case.</p> <p>Responses to cases do not focus on PIDA.</p> <p>We promote effective communication with those speaking up including: team presentations, information in Bradford Managers’ training, guidance document for managers developed on responding to concerns, focus on communication in ambassadors’ training, etc. We promote workers speaking up being treated in line with Trust values – we care, we listen, we</p>			

<p>speaking up matters – develop the skills to handle difficult conversations.</p>	<p>deliver – which are highlighted in the strategy. BUILD model now being used as part of A Kind Life culture work. Difficult conversations training available.</p>			
<p>Groups facing barriers to speaking up</p> <p>Organisations, working in partnership with the Freedom to Speak Up Guardian, should:</p> <p>seek to identify groups potentially facing barriers to speaking up and work towards addressing those barriers</p> <p>Support from the Workforce Race Equality Scheme (WRES) Implementation Team should be considered to help meet the needs of ethnic minority workers. A senior worker should be appointed as equality, diversity and inclusion lead. This role should be appropriately resourced. The cultural ambassador’s network should reflect the diversity of the workforce that it supports.</p>	<p>BAME, LGBTQ+, those with disabilities, students, volunteers, those who do not access their computers very often. Attendance at staff network meetings, induction material developed for volunteers. Crowdsourcing (March 2022) and survey of staff networks (June 2022) identified further barriers.</p> <p>2X EDI leads in post plus Equality Diversity & Inclusion Advisor Specialist. First cohort of Ambassadors recruited March 2022.</p>	<p>Induction material (video) being developed for all students which can also be used with other groups.</p> <p>2nd cohort of Ambassadors recruited and due to be inducted Oct 2022. Have tried to ensure they reflect the diversity of the Trust and spread across areas.</p>	<p>FTSUG and Deputy</p> <p>FTSUG and Deputy</p>	<p>Dec 2022</p> <p>Oct 2022</p>
<p>Confidentiality and anonymity</p> <p>Speaking up arrangements, including the support provided by the Freedom to Speak Up Guardian, should appropriately protect workers’ confidentiality, and demonstrate understanding and empathy for the needs of individuals.</p> <p>Reasonable steps should be taken to respond to the issues raised by those who speak up in confidence. Matters should be investigated as fully as possible,</p>	<p>FTSUG and Deputy always ask and record on the case template whether individuals wish their confidence to be kept. Difference between anonymous and confidential highlighted in team presentations. Importance of confidentiality highlighted at Board development session 09/12/2021. Champions model stood down following concerns</p>			

<p>even where the identities of those speaking up are unknown.</p> <p>Alleged breaches of confidentiality should be appropriately investigated.</p>	<p>raised about suitability of a champion and confidentiality. Ambassadors training highlights the importance of this. Work in Confidence system available until Sept 2022. Anonymous reporting form available via Connect from Aug 2022 onwards. Numbers of anonymous concerns monitored. Confidentiality maintained or discussed with individual if this is not possible with rationale why. NED's details available on Connect as an additional route for speaking up. We always try to investigate anonymous concerns in the same way we would as an open concern.</p>			
<p>Training – Speak Up, Listen Up and Follow Up</p> <p>Effective speaking up training for all workers should be provided and uptake monitored, ensuring this meets the expectations set out in guidelines from the National Guardian's Office.</p>	<p>The Trust took the decision to mandate the National Guardian's Office "Speak Up" eLearning in 2021, and as at 22/09/2022, 3223/3379 staff members required have completed it (95.4%). Listen Up training also available via ESR. FTSU included in Bradford Manager training.</p>	<p>Study sessions for managers being developed</p> <p>Board members and governors to undertake Follow Up eLearning</p>	<p>FTSUG</p> <p>FTSUG/ Director of Nursing</p>	<p>Oct 2022</p> <p>Dec 2022</p>
<p>Disadvantageous and/or demeaning treatment</p> <p>It should be communicated that detriment for speaking up will not be tolerated.</p> <p>Action should be taken to prevent detriment occurring.</p> <p>There should be procedures to allow cases of alleged detriment to be looked into effectively when they are reported.</p>	<p>This is explicit within our policy and strategy and is communicated at any presentations we do. Messages included in all training delivered. Everyone who speaks up is sent a survey on closure of their case with a question about detriment and this allows them to leave their details so that we can</p>			

<p>Investigations into the alleged conduct of workers who have previously spoken up should also seek to identify whether the allegations about the worker are motivated by a desire to cause them detriment because they spoke up. If evidence of detriment is found, appropriate action should be taken. The disciplinary policy should be amended to require such action.</p>	<p>contact them to discuss if they feel this has happened, we can then ensure investigation.</p>			
<p>Bullying and harassment, poor working relationships and unwanted and/or unprofessional behaviours</p> <p>The programme of work to challenge unwanted and/or unprofessional behaviours should be continued and reviewed for effectiveness.</p> <p>Appropriate measures should be taken to identify the causes of poor working relationships and implement effective actions to remedy those causes, including steps to measure the effective of those actions.</p> <p>An action plan should be developed to address bullying behaviour and develop a working culture that is free from bullying, including providing anti-bullying training for all workers.</p> <p>The bullying and harassment policy and procedure should be consistent with the standards in the bullying and harassment guidance issued by NHS E/I, including implementation and monitoring of the policy and ensuring its contents are shared with workers.</p>	<p>Belonging & Inclusion plan in place 2021-2024. April 2022 – launched an OD programme with A Kind Life Ltd. Trust values, behaviours and charter in place. Bullying & harassment training under review as part of A Kind Life work. Introduction of Respectful Resolution pathway and guides. Policies and procedures updated in line with Respectful Resolution materials.</p>	<p>See separate A Kind Life implementation plan. Metrics in place to monitor effectiveness.</p>		
<p>Mediation</p> <p>Mediation should be actively promoted and facilitated, where appropriate, to resolve issues arising from speaking up. Managers and HR workers should be up to date with guidance on explaining the value of mediation to workers.</p>	<p>We do promote the mediation service via Sharepoint and occasionally through e-update and the HR team will refer cases to the mediation team where appropriate.</p>			

FREEDOM TO SPEAK UP GUARDIANS				
	Existing provision /gaps	Action needed	Authorised action/ date for completion	Review date
<p>Appointment</p> <p>Freedom to Speak Up Guardians should be appointed through a fair and open process.</p>	<p>External advert for new FTSUG June 2021. External candidate appointed and commenced Oct 2021. Cover for maternity leave also advertised externally and external candidate appointed, commenced Sep 2022.</p>			
<p>Confidence in the arrangements</p> <p>Assurance should be obtained that the workforce has confidence in the Freedom to Speak Up Guardian arrangements.</p> <p>Assurance should be provided that the multiple Freedom to Speak Up Guardians supporting the same organisation/s are able to meet the requirements of the universal job description.</p> <p>The term 'Freedom to Speak Up Guardian' should be used for all Freedom to Speak Up Guardians supporting the same organisation/s. Locally, the organisation may consider how it communicates the primary functions of the individuals in each of the roles though, always, the individuals should be able to fulfil the requirements of the universal job description.</p>	<p>Survey sent to individuals following closure of cases. Crowdsourcing engagement undertaken March 2022 for development of strategy. Monitor relevant questions included in National Staff Survey and quarterly survey.</p> <p>All BDCT Guardians have completed the NGO annual refresher training and NGO training & education guide for assurance.</p>			
<p>Ring-fenced time</p> <p>Freedom to Speak Up Guardians should be provided with ring-fenced time for the role, taking account of the time needed to carry out the role and meet the needs of workers in their organisation. Leaders should be able to demonstrate the rationale for their decisions about how much time is allocated to the role.</p>	<p>Jan 2022 - FTSUG increased to 0.8WTE. March 2022 - FTSUDG increased to 0.4WTE. Cover provided for maternity leave.</p>			

<p>Support</p> <p>The support required for Freedom to Speak Up Guardians to carry out their role and meet the needs of the workers should be identified and provided, including:</p> <ul style="list-style-type: none"> • sufficient cover to support their work in their absence; • alternative routes to handle speaking up matters to overcome any possible conflicts; and • appropriate managerial and emotional support. 	<p>Sufficient cover in place including provision during maternity leave. Alternative routes available e.g. anonymous reporting form, NED details on Connect page, weekly Exec Broadcast, can email Chief Exec directly. Guardian and Deputy have regular weekly meeting. FTSUG Monthly 121s with Director of Nursing and CEO. Support from NED. Regular attendance at regional meetings, peer support and 'buddy' calls. Both Guardian and Deputy also able to access Trust health and wellbeing offer.</p>	<p>Psychological supervision being set up via West Yorkshire Health and Care Partnership - Staff Mental Health and Wellbeing Hub</p>	<p>FTSUG</p>	<p>Jan 2023</p>
<p>Continuity</p> <p>A continuity plan should be agreed to support incoming Freedom to Speak Up Guardians and minimise any disruptions to the Freedom to Speak Up arrangements, ensuring this is in line with guidance from the National Guardian's Office.</p>	<p>Continuity plan in place. Full induction programme provided to interim Guardian covering maternity leave.</p>			
<p>Recording cases and reporting data</p> <p>In accordance with guidance from the National Guardian's Office:</p> <ul style="list-style-type: none"> • all instances of speaking up brought to the Freedom to Speak Up Guardian should be recorded, not just those cases where workers state that they are raising a matter 'formally' • non-identifiable information about all these cases should be reported to the National Guardian's Office 	<p>Recording spreadsheet in place, with cases recorded as per NGO guidance. Data provided to NGO portal quarterly.</p>			

<p>Freedom to Speak Up Champions/Ambassadors</p> <p>The use of the Freedom to Speak Up Champion/Ambassador role should be reviewed, ensuring it is in line with guidance from the National Guardian's Office.</p> <p>Freedom to Speak Up Champion/Ambassador networks should reflect the diversity of the workforce they support.</p>	<p>Champion role reviewed and stood down, new Ambassador role introduced with role description and expression of interest process including permission from line manager. First cohort inducted March 2022. Have tried to ensure this is reflective of the diversity of the Trust.</p>	<p>Awaiting induction of second cohort – planned for Oct 2022.</p>	<p>FTSUG and Deputy</p>	<p>Oct 2022</p>
<p>Network meetings</p> <p>Freedom to Speak Up Guardians should regularly attend regional meetings of their peers to ensure that they have access to guidance and support to undertake their work, including to assist with the writing of board reports, and in order to share learning and good practice.</p>	<p>Regional Network and peer support meetings regularly attended in addition to any relevant NGO webinars.</p>			
<p>Board reports</p> <p>Freedom to Speak Up Guardian reports to the board (or equivalent) should be:</p> <ul style="list-style-type: none"> • sufficiently detailed and comprehensive to support the development of a positive speaking up culture • in accordance with guidance from NHS E/I and the NGO. 	<p>Board reports are provided on a 6 monthly basis and follow the format advised by the NGO and NHSE/I including sufficient detail to support the development of a positive speaking up culture.</p>			

LEADERSHIP				
	Existing provision /gaps	Action needed	Authorised action/ date for completion	Review date
<p>Senior Responsibility for Freedom to Speak Up</p> <p>Assurance should be obtained that those with senior Freedom to Speak Up responsibility have the confidence of the workforce.</p>	<p>Staff survey results. 'Temperature check' as part of crowdsourcing. Crowdsourcing for strategy validation. Monitoring identified in strategy.</p>	<p>This is an ongoing piece of work that requires periodic check-ins.</p>		
<p>Vision and strategy - Speaking Up</p> <p>In line with guidance from NHS England and Improvement, the board (or equivalent) should articulate a vision of how it intends to support its workers to speak up, which encompasses a strategy containing:</p> <ul style="list-style-type: none"> • measures to identify the main issues the organisation should address • deliverable objectives within fixed timescales • steps to measure the effectiveness of those actions • under appropriate executive oversight • and to effectively communicate this to trust workers 	<p>Crowdsourcing undertaken to develop strategy March 2022. Document approved by Board 14 July 2022.</p>			
<p>Communications plan - Speaking Up</p> <p>In line with guidance from NHS England and Improvement, a communications plan should be developed and implemented to embed speaking up, including the promotion of the Freedom to Speak Up Guardian role. The effectiveness of the plan should be evaluated, and action taken where learning / gaps are identified.</p> <p>Changes to the Freedom to Speak Up arrangements should be communicated to workers in a timely way.</p>	<p>Comprehensive communications plan in place which includes activities such as: e-Updates, Yammer, messages in payslips, Exec Broadcasts, CEO vlogs, attendance at staff networks and team meetings, open door/drop-in sessions, videos, Twitter, manager study sessions etc.</p> <p>Various activities for October Speak Up month also planned.</p>	<p>Comms plan is in progress and is monitored by FTSUG on an ongoing basis.</p>		

<p>Freedom to Speak Up self-review toolkit</p> <p>NHS E/I Freedom to Speak Up self-review toolkit should be completed and shared in accordance with guidance from NHS England and Improvement.</p>	<p>Completed Dec 2021.</p>	<p>New reflection & planning tool due for completion Dec 2022 – Board Development session planned.</p>	<p>FTSUG / Director of Nursing</p>	<p>Jan 2023</p>
<p>Measuring speaking up culture</p> <p>Measures should be identified and employed to monitor the development of a positive speaking up culture, so that leaders are responsive to the needs of all workers and are developed in accordance with good practice.</p> <p>Incident reporting rates should be regularly reviewed to identify any areas which appear to be under-reporting and action taken to address this.</p>	<p>This is an ongoing process. Strategy in place which includes monitoring. Relevant questions from staff survey monitored. OD programme with A Kind Life underway.</p> <p>All services have their own dashboards on Safeguard to look at incident rates, themes etc. This is also reviewed centrally and goes in the bi-annual learning report and is included in quality dashboard monthly. Weekly sub-directorate call out to triangulate issues on a more reactive basis.</p>			
<p>Case review gap analysis</p> <p>Actions identified through the gap analysis of recommendations made in published case reviews should be implemented.</p>	<p>Comprehensive FTSU action plan in place which includes gaps identified from case reviews and board review tool.</p>			
<p>Visibility and accessibility</p> <p>Leaders should be visible and accessible to all workers to promote a culture of visible and accessible leadership.</p>	<p>Weekly Exec broadcasts. Weekly chief exec vlog. 'Talk2Therese' email address. Go See Visits. Open Doors by FTSUG and Deputy Director of Nursing.</p>	<p>Completion of FTSU pledges by Board members to further promote visibility.</p>	<p>FTSUG / Board members</p>	<p>Dec 2022</p>

<p>Engagement</p> <p>A plan should be developed to ensure that workers can speak up effectively about the impact of integration as its local integrated care system continues to develop and mature.</p> <p>The workforce should be informed as soon as is practicable following the decision regarding the future leadership of the organisation.</p>	<p>Head of Transformation confirms examples of community consultations undertaken: 14/10/2021 simultaneous workshop in 3 areas of Bradford (Keighley, Homewood/Tong and Manningham/Girlington area - North CMHT). 20/12/2021 primary care network BD4 + follow up 23/12/2021, 13/01/2022, 03/02/2022.</p> <p>Recommendation specific to Brighton but changes in senior leadership are regularly relayed to workforce via eUpdate and all user emails.</p>			
<p>Governance arrangements</p> <p>The effectiveness of governance arrangements should be improved, including the communication of information from 'board to ward' and back.</p>	<p>Care Trust integrated governance guide describes the arrangements in place. CQC inspection 2021 rated well-led as good and areas of strength highlighted - governance processes effective and embedded, positive culture of openness and transparency, leaders aware of risks and concerns.</p>			

<p>Conflicts of interest</p> <p>NHS E/I's national guidance relating to the managing of conflicts of interest should be implemented.</p> <p>The organisation's conflicts of interest policy should be implemented so that workers are aware of its purpose and all relevant workers make appropriate declarations, including those relating to conflicting loyalty interests.</p>	<p><i>Business Conduct, Bribery and Conflict of Interests in the NHS Procedure</i> in place.</p> <p>Conflict of interest declaration gets sent to all staff at point of recruitment but only 8a and above need to complete (on ESR).</p>			
<p>Investigations</p> <p>Workers who speak up should have input into the terms of reference for any subsequent investigations.</p> <p>The response to workers speaking up, including the investigations of those issues and the implementation of learning resulting from them, should be undertaken by suitably independent and trained investigators.</p> <p>Reasonable consideration should be given to workers' objections relating to the perceived independence of investigators.</p> <p>A clear rationale for any decisions regarding investigators should be given to workers in response to any objections and there should be transparency about the way potential conflicts of interest relating to investigations are managed.</p> <p>Speaking up cases should be investigated within reasonable timeframes and without undue delay.</p> <p>Where investigations are undertaken in response to speaking up issues raised by workers, feedback should be provided to those individuals regarding the progress of said investigations.</p>	<p>Not felt this would be appropriate for HR investigations. For SI investigations, the individual could be given the opportunity to review the TOR and confirm the scope of the investigation addresses the points raised in their FTSU concern.</p> <p>This would be done on a case by case basis depending on the type of issue raised e.g. patient safety incident would be via risk management to identify suitable investigator, HR issues via HR team. Most concerns are appropriately dealt with at a local level.</p> <p>Concerns raised are escalated promptly and responded to as quickly as possible depending on the type of concern raised. Length of time to close cases is monitored on the tracking spreadsheet.</p> <p>This is explicit within our policy</p>			

	and any concerns raised via the FTSUG route are followed up to ensure updates and feedback are provided to workers			
Action/Follow up	Recommendation specific to Southport and Ormskirk Hospital NHS Trust			
Policy - Speaking Up	As above - Local FTSU policy meets NGO requirements as identified. FTSU included in induction paperwork and new starter letters. FTSU linked from front page of intranet which includes link to policy. Comms plan in place.	Review of FTSU policy due November 2022 in line with new national guidance.	FTSUG	Nov 2022
Alignment with the Freedom to Speak Up Review principles	Compliant			
Other policies and processes	If Investigating manager feels other parties need to be involved e.g. safeguarding they would involve them at the point of drawing up TOR. If was in middle of disciplinary would ensure interventions in place to support.			

<p>in question is in alignment with good practice in relation to freedom to speak up.</p> <p>HR policies and procedures should:</p> <p>have the confidence of the workforce meet the needs of workers who speak up, including effective training for workers in human resources</p> <p>Where the grievance process is used in response to a worker speaking up, the grievance policies and procedures should be correctly followed, including in respect of providing an initial scoping meeting to discuss the matter the worker is speaking up about and the range of alternative processes for handling it.</p> <p>Workers who take periods of sickness leave, including in relation to their speaking up, should be provided with support upon returning from that leave that is in accordance with the values, policies, and guidance.</p> <p>Those with responsibility for supporting workers to return to work from sickness absence should be capable of implementing the relevant policies and guidance to manage this process.</p> <p>The policy for dealing with serious incidents should provide that feedback and any learning is shared with those who speak up regarding an incident.</p>	<p>FTSUG is on virtual policy workshops invite list to ensure policies are reviewed re FTSU as they come up for renewal.</p> <p>Bradford Manager, leadership toolkit – OD Practical training from HR</p> <p>30/06/2022 Gap – current employment tribunal. About to introduce case work tracker. Policies talk about informal process first – raising awareness via HRBPs</p> <p>Sickness - Support always given on return to work, dealt with under managing attendance policy – irrelevant why person is off.</p> <p>Sharing learning is included within policy and there are various mechanisms to do this. Wednesday morning sub-directorate call out can keep a track of any relevant investigations. Policy under review to make this more explicit re feeding back to anyone who has spoken up specifically.</p>	<p>Await introduction of 'Allocate' case work tracker in HR</p> <p>Full review of incident reporting policy and Supporting Staff Involved in an Incident, Complaint or Claim Policy planned Autumn 2022.</p>	<p>HR</p> <p>Head of Patient Safety, Compliance and Risk</p>	<p>Jan 2023</p> <p>Nov 2022</p>
<p>Fit and proper person review Fit and Proper Person reviews should be undertaken in accordance with good practice.</p>	<p>Compliant</p>			