

Board of Directors – Meeting held in Public

11 May 2023

Paper title:	Freedom to Speak Up Guardian Annual Report	Agenda Item 16.0
Presented by:	Joe Cohen – Freedom to Speak Up Guardian	
Prepared by:	Joe Cohen – Freedom to Speak Up Guardian Emma Greenwood – Deputy Freedom to Speak Up Guardian	
Committees where content has been discussed previously	Not applicable	
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 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 total of 75 cases were reported to the BDCT Guardian team during 2022-23. This is an increase of 4 (5.6%) from the same period last year.
2. A significant increase in concerns received from Allied Health Professionals as a staff group is noted.

3. The number of cases with perceived disadvantageous or demeaning treatment as a result of speaking up has decreased from the previous year and was 2 for 2022-23. This is a reduction of 80% from 2021-22.
4. The online booking system for appointments with the FTSU team is now being well used, 15 appointments in total were booked via this system for 2022-23.
5. Work is ongoing to improve access to the FTSU Guardian route and the speak up/listen up culture.
6. Responses to the FTSU satisfaction survey are generally positive with 83% saying they would speak up again in 2022-23.
7. Speaking up cases have resulted in local learning and improvement.
8. In line with the reviewed FTSU Policy, the Kind Life methodology is utilised wherever possible, in receiving and acting upon concerns.

Results of the latest staff survey indicate that only 56.9% 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 this report.

Relationship to the Board Assurance Framework (BAF)

The work contained with this report links to the following strategic risks as identified in the BAF:

- SO1:** Engaging with our patients, service users and wider community to ensure they are equal partners in care delivery (QSC)
- SO2:** Prioritising 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)

Links to the Strategic Organisational Risk register (SORR)	The work contained with this report links to the following corporate risks as identified in the SORR: <ul style="list-style-type: none">• n/a
Compliance & regulatory implications	The following compliance and regulatory implications have been identified as a result of the work outlined in this report: <ul style="list-style-type: none">• n/a

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Freedom to Speak Up Annual Report 2022-23

1 Purpose

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 2022 to March 2023

Section 2 - Themes

Section 3 - Learning and improvement from 2022-23

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

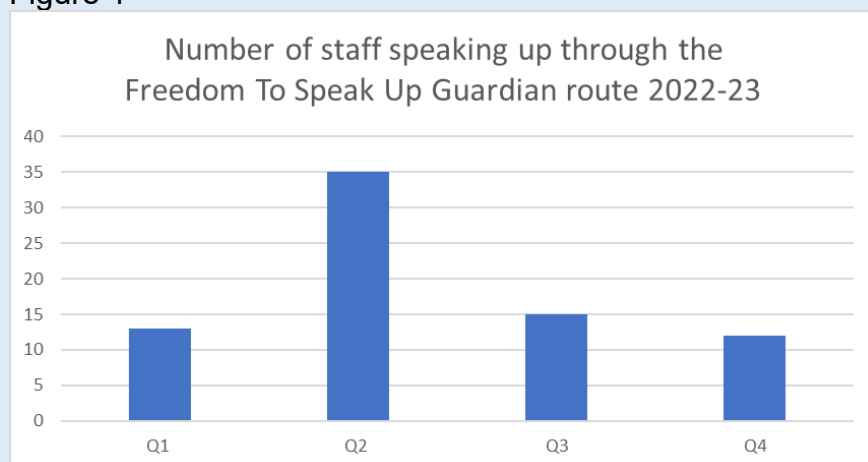
Table 1 shows the total number of cases from April 2022 to March 2023, broken down into those with an element of patient safety/quality of care, bullying and harassment, worker safety or wellbeing and other inappropriate attitudes or behaviours. The table also shows the numbers of colleagues who wanted 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.

Item	2020/21	2021/22	2022/23
Total no of cases	57	71	75
Patient safety and quality of care concerns	9 (16%)	16 (23%)	20 (26%)
Bullying and harassment concerns	21 (37%)	33 (47%)	18 (23%)
Worker safety or wellbeing concerns*	Not collected	13 (18%)	58 (74%)
Concerns related to other inappropriate attitudes or behaviours	Not collected	Not collected	40 (51%)
Colleagues wishing to remain anonymous to Guardian	8 (14%)	4 (6%)	8 (11%)
Colleagues perceiving an element of disadvantageous and/or demeaning treatment as a result of speaking up	2 (4%)	10 (14%)	2 (3%)
Number of staff completing survey who say they would speak up again	8	17	10

* 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	Q3	Q4	Total
Additional clinical services	0	5	2	3	10
Additional professional scientific and technical	4	0	0	0	4
Administrative and clerical	3	8	4	1	16
Allied Health Professionals	1	14	4	6	25
Estates and ancillary	0	1	0	0	1
Healthcare scientists	0	0	0	0	0
Medical and dental	0	0	0	0	0
Nursing and midwifery registered	4	5	5	1	15
Students	0	1	0	0	1
Other	0	0	0	1	1
Not known	1	1	0	0	2

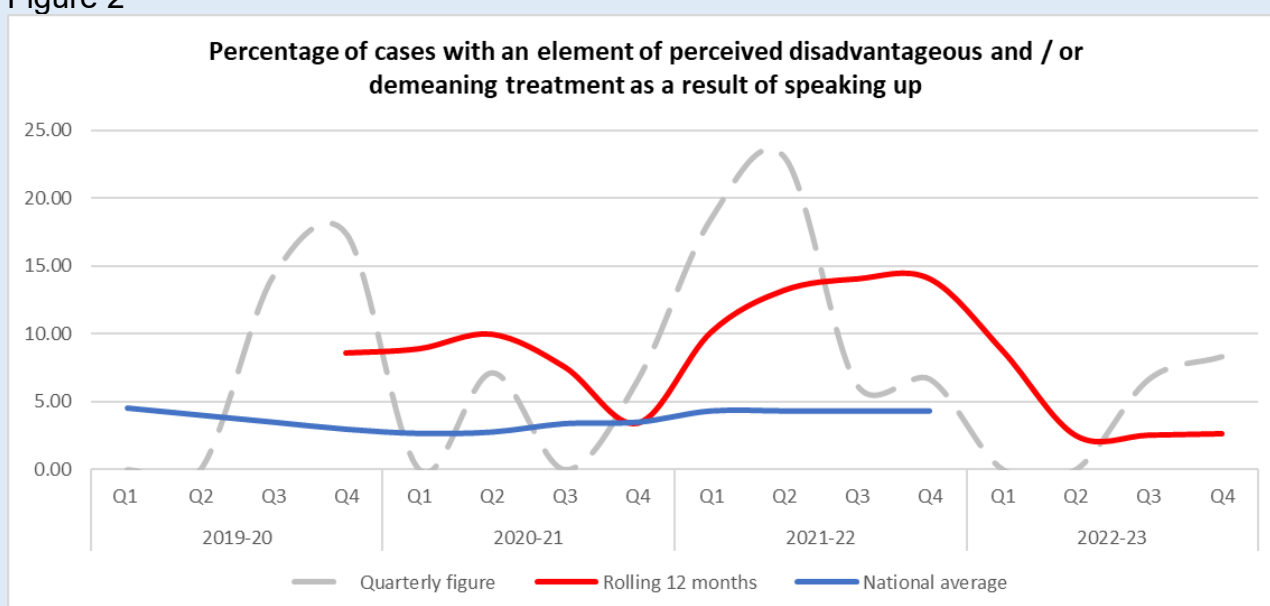
Total	13	35	15	12	75
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Please note professional/worker groups were updated from 1 April 2022.

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 this year 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. Over the four-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.

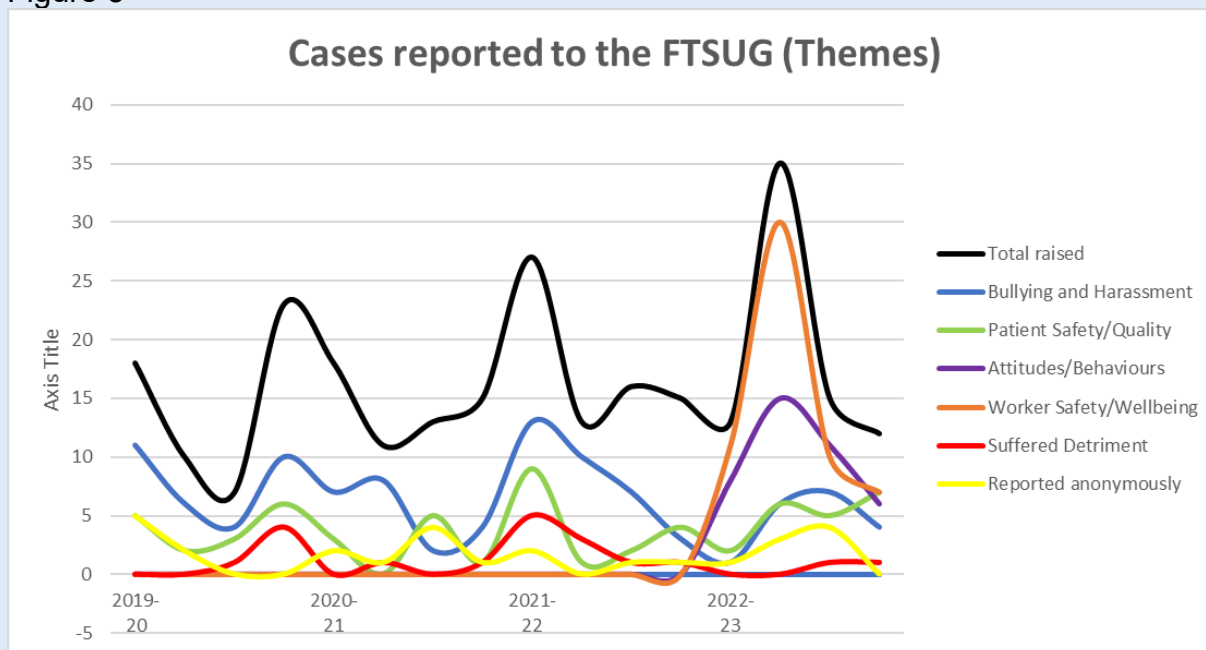
In 2022/23 the main themes spoken up about were:

- Poor management styles/behaviours within teams
- Bullying culture
- Unfair recruitment/nepotism
- Unsafe staffing
- Specific staff groups e.g., AHP's feeling undervalued.
- Resistance to strategic changes in Service Design/Delivery
- Disputes between professional groups.

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 2022/23

- Where concerns contain possible safeguarding implications the FTSU team have agreed a partnership approach with the Safeguarding Team.

Case Studies

Case Study 1

The Freedom to Speak Up team was contacted through the online appointment booking system. The Guardian joined the Teams meeting anticipating speaking to the individual who

had 'reached out' but found themselves in a conversation with a whole team. A lively and challenging meeting. The team expressed their views sometimes strongly but always professionally on a range of issues on how recent organisational changes were affecting the service they deliver.

It was clear that the common theme was they needed to 'be heard' and have confidence their role and expertise was respected and valued. The meeting concluded with an agreement that the Guardian would alert senior leadership to the concerns and request their support.

The Chief Operating Officer recognised the value of meeting with the team in person to hear their views and offered two meetings (in order to allow the whole team to share in the discussion)

The Guardian agreed to join the meeting on Teams, and this emphasised the independent nature of the FTSU support.

Both meetings achieved a positive engagement, and the COO was able to capture the challenges and frustrations being experienced by the team. Further conversations were made available as specific points are addressed going forward and the mood at the end of each meeting was 'cautiously optimistic'.

Learning point

When concerns are clearly being raised by whole teams, the support from senior leaders in assuring them that they are being listened to by someone who has the experience and authority to address the issues is very effective. These conversations do not need to be a reactive response 'after the fact' they can occur ahead of organisational changes where it is anticipated teams will be resistant to or anxious about new ways of delivering their service.

Case Study 2

Probably the biggest frustration individuals or teams express after 'speaking up' is the length of time taken to respond to the issue. The FTSU team prides itself on acknowledging the concern and offering a meeting generally within the same working day.

A team leader contacted the FTSU team to discuss an incident in which a manager had met with a group of staff. The interchange had become extremely difficult and the communication style from the manager had caused alarm to members of the team.

The Guardian agreed to make the senior management aware of the incident. Using a 'Kind Life' approach to understand why the behaviours at this meeting had fallen below the standards expected the manager reflected on their role and returned to the team to apologise.

The team leader contacted the Guardian to acknowledge the support and confirm the team considered the matter closed. This all occurred (first contact to closure in 3 working days!)

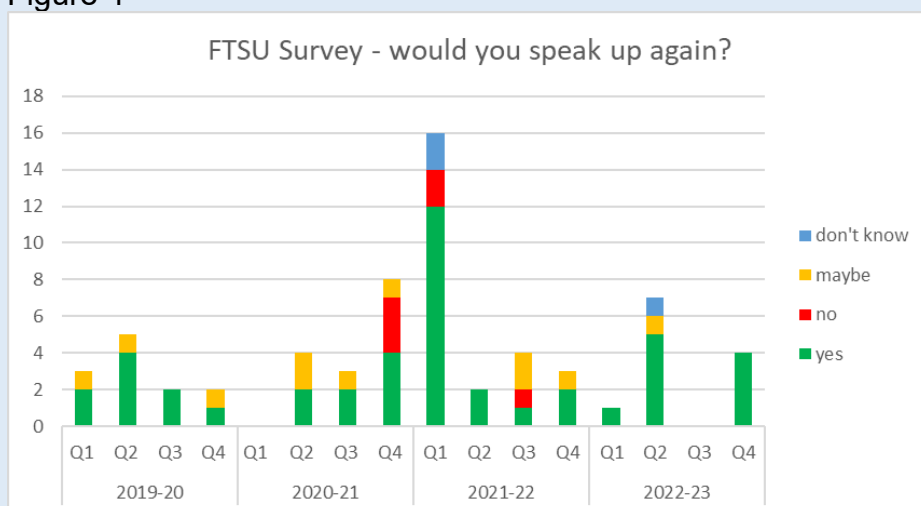
Learning point

Whenever possible, a speedy response to a concern is often a predictor of a positive outcome.

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 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.

Smooth process felt supported and listened to. Had regular updates from Emma - good communication and support.

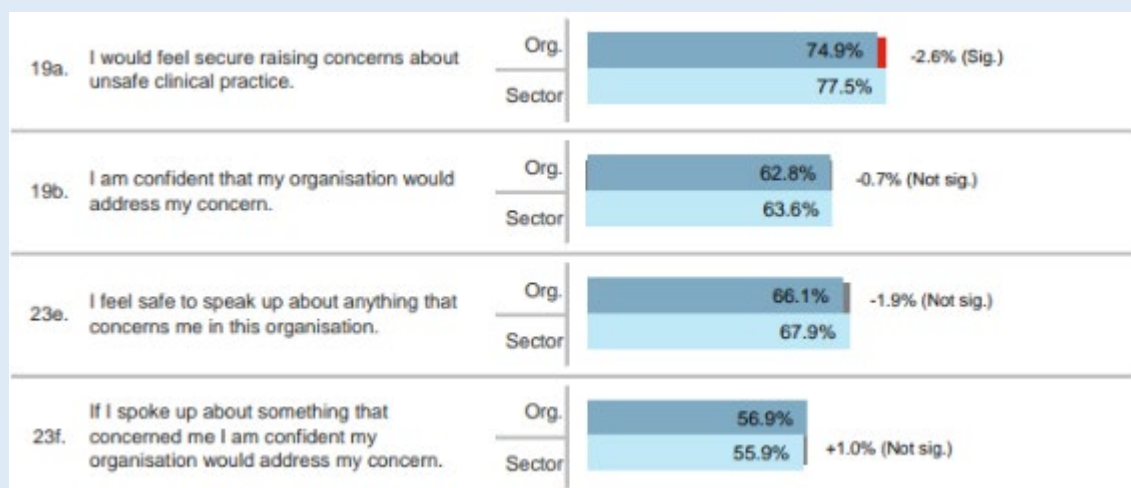
Quick response from Joe, was very supportive and sorted the issue out for me in a timely manner. Thank you.

Supportive staff member. Joe made me feel at ease, didn't feel like I was complaining and he validated what I had to say in a respectful manner.

I felt supported and confident in knowing my concerns were being appropriately addressed.

The staff survey has four questions directly related to raising concerns, see figure 5.

Figure 5



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

Drop-In sessions focussed on specific groups or areas. Particularly following The Panorama and Dispatches reports, the FTSU team supported leadership in reaching out to teams to ensure they were aware of the choices they had to raise concerns.

Participation in the Corporate Induction/Welcome event. This demonstrates the priority the trust places on listening to staff and responding to their concerns.

Expansion of the FTSU Ambassador network. Having a widespread and diverse network of trained ambassadors to encourage colleagues to feel safe and confident in speaking up,

Section 5 – Speaking up/listening up culture.

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

A training program ‘Enhanced Listening’ for managers to supplement their completion of the eLearning module that explores the practical application of listening skills to make ‘speaking up’ in teams, business as usual.

Section 6 - National/Regional activities and information

The first National Conference (since Covid-19) of FTSU Guardians in March had as its theme *Making Speaking Up, Business as Usual*. It accepted that improvements in the culture in the NHS were still a challenge and in certain sectors had actually deteriorated.

Support from the Yorkshire and Humber regional group continues however a 6 session 'pilot scheme' of psychological supervision was not extended,

Section 7 – Future actions

- Leadership Development Session.
- The Self-Assessment Exercise
- Combined FTSU and Kind Life training program.
- Creation of In-House training materials (animations) using purchased software.
- Psychological Supervision resource to be agreed for FTSU team.

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