

# Board of Directors

Date: 13 May 2020

Item Ref: 9

<b>TITLE OF PAPER</b>	<b>Freedom to Speak Up (FTSU) Bi-annual Report (Quarter 3 &amp; 4 September 2019 to March 2020)</b>
<b>TO BE PRESENTED BY</b>	
<b>ACTION REQUIRED</b>	<ul style="list-style-type: none"> <li>- To hear directly from the Freedom to Speak Up Guardian the current position with implementing FTSU within the Trust</li> <li>- To receive assurance that the Audit and Risk Committee reviewed and discussed this report and that they received assurance on the following: <ul style="list-style-type: none"> <li>• actions taken to promote FTSU and act on concerns raised during the COVID-19 response</li> <li>• continued focus on local resolution, responsiveness and organisational learning from FTSU concerns raised</li> <li>• continued commitment to raise the profile of the FTSU Guardian and promote a culture that actively encourages raising concerns</li> <li>• actions in response initial feedback from the CQC inspection</li> <li>• thematic analysis and learning from Oct-April from FTSU concerns raised</li> <li>• production of a draft SOP to agree and clarify FTSU process in the Trust</li> </ul> </li> </ul>
<b>OUTCOME</b>	To receive assurance that Freedom to Speak Up process is being met and developed in line with national requirements
<b>TIMETABLE FOR DECISION</b>	N/A
<b>LINKS TO OTHER KEY REPORTS / DECISIONS</b>	<p>Learning Not Blaming available at:</p> <p><a href="https://www.gov.uk/government/publications/learning-not-blaming-response-to-3-reports-on-patient-safety">https://www.gov.uk/government/publications/learning-not-blaming-response-to-3-reports-on-patient-safety</a></p> <p><a href="https://www.nhs.uk/standard-contract/technical-guidance-1920">NHS-Standard-Contract-Technical-Guidance-1920</a></p> <p><a href="https://improvement.nhs.uk/resources/patient-safety-strategy/">https://improvement.nhs.uk/resources/patient-safety-strategy/</a></p>
<b>STRATEGIC AIM STRATEGIC OBJECTIVE BAF RISK NUMBER &amp; DESCRIPTION</b>	<p><b>Quality &amp; Safety</b> - A1 01: Effective quality assurance and improvement will underpin all we do</p> <p>A1 02: Deliver safe care at all times</p> <p><b>Quality and safety</b> - BAF Risk A101iii - Risk that Trust governance systems are not sufficiently embedded</p>
<b>LINKS TO NHS CONSTITUTION /OTHER RELEVANT FRAMEWORKS, RISK, OUTCOMES ETC</b>	<p><a href="#">2019-Risk-management-strategy.pdf</a></p> <p><a href="#">National Guardians Office</a></p>
<b>IMPLICATIONS FOR</b>	Freedom to Speak Up processes must be transparent and robust to

<b>SERVICE DELIVERY &amp; FINANCIAL IMPACT</b>	ensure staff have confidence in raising concerns and that they are taken seriously which will help improve service user safety, quality of care, staff satisfaction and a learning culture.
<b>CONSIDERATION OF LEGAL ISSUES</b>	Litigation and clinical negligence claims Non-compliance with regulatory bodies

<b>Author of Report</b>	Wendy Fowler
<b>Designation</b>	Freedom to Speak Up Guardian
<b>Date of Report</b>	April 2020

# Summary Report

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**Report to:** Board of Directors

**Subject:** Freedom to Speak Up Bi-annual Report (Quarter 3 & 4 October 2019 to March 2020)

**Author:** Wendy Fowler - Freedom to Speak Up Guardian

## 1. Purpose

For approval	For assurance	For collective decision	To seek input	To report progress	For information	Other (Please state)
	✓				✓	

## 2. Summary

This report is submitted by the Freedom to Speak Up Guardian (FTSUG) to the Board for information and to provide assurance that the Trust is adopting Freedom to Speak Up requirements. It is the opportunity for the FTSUG to talk directly to the Trust Board to outline the current position and raise issues. The report was presented to the Audit and Risk Committee on 21 April who reviewed and discussed the report and welcomed the development of reporting and received assurance that the FTSU process is being implemented and developed in line with national guidance. ARC acknowledged and supported promoting the FTSUG role during our COVID-19 emergency response and the continued focus on encouraging prompt responses to concerns raised and sharing wider organisational learning.

Appendices to the report, namely the Standard Operating Procedure for the FTSU process and staff survey responses relating to FTSU were provided to ARC as part of the report, but are not included in the Board paper in order to streamline reporting. Similarly, details of responses to concerns raised arising from FTSU month (October 2019) are not included. All are available on request.

## 3 Next Steps

- To ensure that systems are reviewed to support our commitment to increase the visibility and responsiveness to FTSU COVID-19 concerns
- To circulate a weekly update to key managers of FTSU COVID-19 concerns, outstanding actions and learning
- To ensure that there is regular communication to staff promoting the importance speaking up
- To publish themes of FTSU COVID concerns in Connect at least monthly during the emergency response to COVID-19
- To set up a separate feedback questionnaire for staff who speak up with FTSU COVID-19 concerns
- FTSU Guardian will work with the Director of Organisation Development in relation to

staff engagement during COVID-19

- Publish a guide for managers to help them support speaking up
- To review all FTSU 'on hold' initiatives in July 2020.

#### **4 Required Actions**

To receive the report for information and assurance.

#### **5 Monitoring Arrangements**

The FTSU Guardian will continue to meet the Executive and Non- Executive Director leads and work closely with the Associate Director of Patient Safety. The FTSU Guardian will report twice yearly to Audit and Risk Committee and to Board.

#### **6 Contact Details**

For further information, please contact:

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# Freedom to Speak Up

## Bi-annual Report

### Update and summary of the concerns raised between October 2019 to March 2020 (Quarter 3 & 4)

#### Summary

The purpose of this paper is:

- To provide a six-monthly report on the process of developing the capability and capacity of FTSU
- To update on current and new FTSU requirements from a national and local perspective
- To provide an overview of the concerns raised through the FTSU Guardian for the period of October 2019 to March 2020 (Quarter 3 and 4)
- To describe the processes put in place for FTSU during the COVID-19 emergency response.

#### 1. Introduction

A governmental response to Sir Robert Francis Report 2015 led to the introduction to the NHS Contract for 2016/17 requiring every NHS trust to have a local FTSU Guardian from 1 October 2016.

#### 2. Appointment of Freedom to Speak Up Guardian

In October 2016 Sheffield Health and Social Care NHS Foundation Trust (SHSC) appointed Wendy Fowler as the Trust's FTSU Guardian and the Guardian has 22.5 protected hours a week.

#### 3. National Guardian's Office news

The National Guardian's Office (NGO) is an independent body sponsored by the Care Quality Commission (CQC) and NHS Improvement (NHSI). The Guardian's Office has recently:

- developed an FTSU index to help health care providers bench mark their speaking up culture
- is developing a safety and culture page on the model hospital website which is a national health care resource for benchmarking against other trusts
- working more closely with improving the assessment of FTSU by the CQC for "well led".

#### 4. NHS Staff Survey & the Freedom to Speak Up Index

The NHS Staff Survey indicated that SHSC FT ranked lowest in the country for comparable trusts for staff's perception of, acting on concerns, managers providing feedback from concerns, staff feeling secure in raising concerns and staff feeling that concerns raised were addressed. We acknowledge that this is an area of concern and we are talking forward actions to address this as a priority. The FTSU Guardian is part of the staff survey group which is looking to address the issues highlighted. Initial ideas include

- continuing to promote a speaking up culture
- developing training for managers and staff
- greater visibility and transparency of FTSU concerns, actions and learning from them.

#### Speaking Up Index

The FTSU index is a newly introduced index developed by the National Guardian's Office and calculated using the following four questions from the NHS Staff Survey, 17a, 17b, 18a and 18b. Our score for 2018 staff survey was 76 which put us in the bottom 30% of the index for all trusts. The index score can be used to benchmark with other comparable trusts as well as tracking our score year on

year. Given that there has been a lower score for all the four questions used to calculate the index report it is reasonable to surmise that our score will be lower, although this has not been formally published.

## **5. COVID-19**

Given the information from the Staff Survey and the perception of how safe staff feel in raising concerns and how they are acted on, it is important as ever that as a Trust we improve our skills in dealing with concerns.

Actions and planning include:

- The Chief Executive, in her weekly letter, has reiterated the commitment to increase speaking up and using all routes including managers, staff side, herself, Board members and the Freedom to Speak Up Guardian
- A summary of FTSU COVID-19 concerns has been published in Connect and this will be done at least monthly during the emergency response
- A weekly report has been sent to key managers about all open FTSU COVID-19 concerns with learning so far
- A digital poster has been developed promoting speaking up which will be promoted by the communications team
- A weekly report of all FTSU concerns will be circulated to key stakeholders
- Information about the themes of FTSU COVID-19 concerns will be published in Connect monthly.

## **6. Care Quality Commission**

Early feedback has indicated there is wide knowledge of about FTSU and the Guardian role. However, it has highlighted in some areas additional promotion and education is needed to be undertaken.

**So far, the following has been done:**

- Information was sent to all staff at Grenoside Grange advertising my role and advertising a drop-in on G1. I also spoke to staff on shift to introduce myself.
- Information about my role and how to speak up was sent to the Dovedale manager, with a request to advertise my role and to cascade an e-mail from me as I was unable to do a face to face visit due to COVID restrictions.

The Freedom to Speak up Guardian will identify further learning and action required arising from the forthcoming CQC report. The Guardian is also linking in with wider Trust initiatives with Organisation Development to seek staff engagement at this difficult time.

## **7. Other Actions Taken in Q3 & Q4 (October 2019 to March 2020)**

- October Speak up Month
- Senior Managers responded to feedback on October Speak up Month and published this on the intranet
- Arranged and attended a meeting with other Sheffield FTSU Guardians
- Attended a Human Resources, Pharmacy, Sunrise Group, the Union, Care network safety meetings
- Met with Sanie Keene, Non Executive Director, designated to FTSU
- Attended clinical areas for a mixture of drop-ins, presentations and walk arounds
- Attended a Bullying and Harassment workshop to help with policy development
- Held meetings with interested parties about developing a Champions network
- Presented at a team away day for Health Education England

- Contacted the Staff Experience action group
- Participated in a regional FTSU conference.

### Standard Operating Procedure.

The Standard Operating Procedure has been written and circulated to a cross section of staff from clinical managers to the union and the feedback so far has been good. The Guardian intends to finalise and disseminate the procedure once we are no longer responding to the COVID emergency where there have been temporary procedures put in place for FTSU. It is also envisaged that the Standard Operating Procedure will be extended to include guidance to what will happen if a person believes that they have suffered detriment from speaking up..

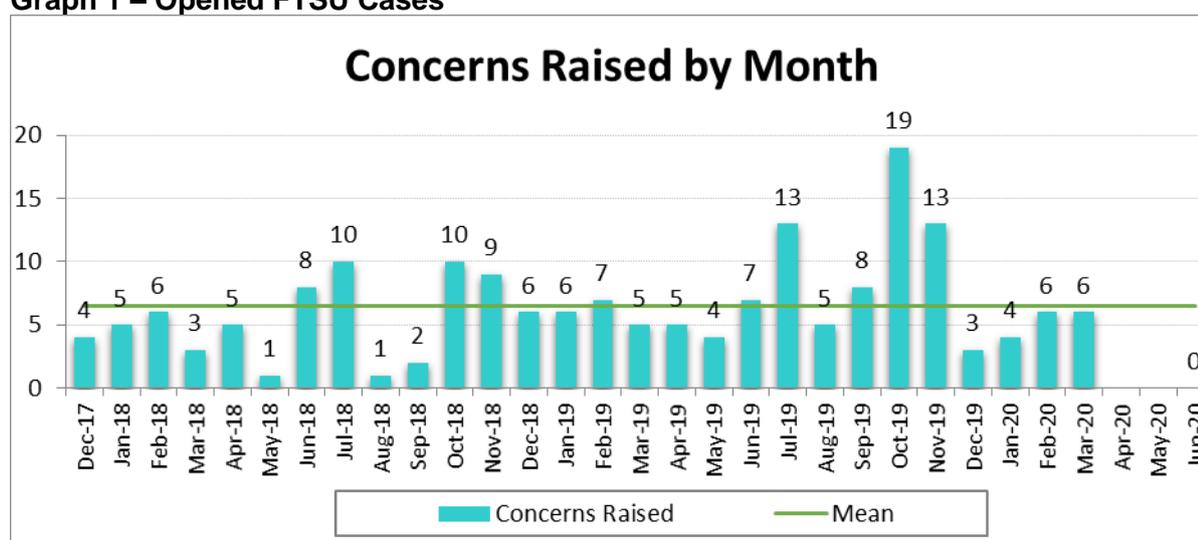
## 8. Concerns raised between October 2019 to March 2020

During the period of October 2019- April 2020, 50 concerns were raised.

### Graph 1

Graph 1 shows how many concerns were opened by month dating back to December 2017. There were 50 concerns raised in (Q3 & Q4) 2019/20. There was an increase in concerns in October which coincides with October Speak up Month.

Graph 1 – Opened FTSU Cases



### Table 2

The table shows all the concerns received and their category. All concerns received are labelled by their primary category and secondary category. The three most reported categories in (Q3 & Q4) 2019/20 were system and processes, patient safety and bullying and harassment. Concerns raised which are COVID-19 related are also shown and concerns that were raised during speak up month which included informal negative feedback as well as concerns.

Table 2 – Concern by Category

Concern by category	Primary Category	Secondary Category
Systems and Process	17	11
Patient Safety/Quality	13	12

Bullying and Harassment	7	1
Behavioural/Relationship	7	3
Cultural	4	1
Staff Safety	0	1
Infrastructure and environmental	0	0
October Speak up month	10	
FTSU COVID related	2	

Out of 16 concerns which were escalated for a formal response the Guardian received e-mail or verbal confirmation, within two working days, that they had been received and would be progressed.

Examples of systems and process concerns include adherence to policy, miscommunication or lack of communication structures or lack of standard operating procedures.

### **8.1 Themes Concerns raised between October 2019 to March 2020**

- During October Speak Up Month staff seemed keen to talk about present and historic issues that they felt impacted on their working lives. Some of these staff expressed they had not felt listened to.
- Several concerns were raised about perceived unacceptable behaviour of managers. The concerns were responded to in a number of different ways which included the guardian signposting staff, giving advice, escalating two issues to senior managers and a formal investigation.
- When there are issues then this has an impact on staff well-being and perception of the job.

### **8.2 Learning from COVID concerns**

- Staff need constant support and conversations to allay anxieties and relying on central messages are not sufficient and managers need to be fully briefed that they understand their roles in responding to questions from their team.
- It is easy for clinical managers to feel undermined in their decision-making when the system is under pressure and it is important for senior managers to be mindful of this and this was shared with the COVID 19 planning meeting.

### **8.3 Learning from concerns that are ongoing or closed in Q3 & Q4 include:**

#### **Learning from concerns plays a pivotal role in the speaking up process:**

- It is important for senior leaders to listen to staff and be open and transparent where possible. In the spirit of this, senior leaders (Executive Directors) responded to and published their responses to concerns and informal feedback raised throughout October Speak Up month. This helped to demonstrate and role model the commitment from senior leaders to the FTSU process.
- Where there are issues with managers it is important to ensure they receive feedback, training and support to give them the opportunity to improve.
- There has been some local learning in teams and in relation to their processes.

## **FTSU Guardian's learning**

- Some staff find the FTSU role valuable for them to access independent and confidential advice, and support.
- That FTSU process often gives people a voice that they did not feel that they had.
- If staff do not have the right information this can have a damaging effect on their mental health and at work performance.
- Relatively minor incidents can have a huge impact on staff, especially if they are relation a perception that Trust values are not being displayed by senior colleagues.
- It is important that managers respond to staff who raise concerns sensitively as it is easy to make the staff member feel undermined.
- Managers often find it difficult to respond to complex concerns as there are no clear solutions and the Guardian will continue to have discussions about the best way to respond to concerns with managers when concerns are raised.

## **9. Staff Experience of Speaking Up**

In addition to verbal feedback, staff who speak up are sent an e-mail and asked to complete an anonymous feedback questionnaire. It is not possible to know which response relates to which concern and when the concern was raised. Not everyone filled out all the questions.

There remains a low response rate to the questionnaire but I have started to record verbal feedback. Of some concern, three staff members have felt they have suffered detriment from speaking up, all in different ways. A meeting will be arranged by the FTSU Guardian to discuss this issue further and ensure our procedures are robust and the best practice would be to investigate all complaints of detriment from speaking up. The Guardian is committed to exploring this issue with relevant staff but this has been put on hold due to staff availability and responding to COVID-19.

## **10. Current Issues**

Current issues with FTSU include:

- Ensuring that the FTSU process is robust to ensure that all concerns raised during COVID-19 are responded to quickly and we can learn and share the learning in other relevant areas.
- Some FTSU initiatives have been put on hold during the emergency response to COVID-19. These include the FTSU task and finish group, establishing Champions and a wider discussion about resolving cultural themes arising from concerns.

## **11 Conclusion**

We are working in unprecedented times due to COVID-19 which has affected every part of society, particularly in delivering healthcare. Given this, it is more important than ever that we ensure staff raise concerns, we listen carefully, act and learn from them. The FTSU process has, like a lot of other processes, adapted to the changing environment to ensure that it meets the needs of the Trust. This should make the FTSU process more visible, responsive and transparent which it is hoped with ensure staff feel confident in raising concerns at every level and have and improve the safety and quality of the care we provide.