



Board of Directors - Public

SUMMARY REPORT

Meeting Date: 27 March 2024
Agenda Item: 26

Report Title:	Freedom to Speak Up Guardian Annual Report 2023-24 -progress update	
Author(s):	Wendy Fowler, Freedom to Speak Up Guardian	
Accountable Director:	Deborah Lawrenson, Director of Corporate Governance	
Other meetings this paper has been presented to or previously agreed at:	Committee/Tier 2 Group/Tier 3 Group	EMT People Committee Quality Assurance Committee
	Date:	7 March 2024 12 March 2024 13 March 2024
Key points/ recommendations from those meetings	It was recommended by EMT that additional learning be included and to increase trust actions that have happened as a result of the themes of the concerns being raised and to include work around sexual safety, values into behaviours.	

Summary of key points in report

The purpose of the report is to provide the Board with the opportunity to hear directly from the Freedom to Speak Up, (FTSU) Guardian about the position relating to FTSU within the Trust between April 2023- February 2024, including:

- continued commitment to raise the profile of the FTSU Guardian and promotion of a culture that actively encourages raising concerns
- local resolution, responsiveness and organisational learning from FTSU concerns
- thematic analysis and learning from 20223/24 from FTSU concerns raised

Appendices attached via links:

Appendix 1 - National Guardian's Office update and priorities for 2023/2024

Appendix 2 - Freedom to Speak Up Ambition and Strategy

Appendix 3 - Speaking Up- Freedom to Speak Up Raising Concerns (Whistleblowing) Policy

Recommendation for the Board/Committee to consider:

Consider for Action		Approval	x	Assurance		Information	
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The Board is asked to receive and note the annual Freedom to Speak Up Guardian report and planned activity for 2024/25

Please identify which strategic priorities will be impacted by this report:				
Effective Use of Resources	Yes	x	No	
Deliver Outstanding Care	Yes	x	No	
Great Place to Work	Yes	x	No	
Ensuring our services are inclusive	Yes	x	No	
Is this report relevant to compliance with any key standards ?		State specific standard		
Care Quality Commission Fundamental Standards	Yes	x	No	As the FTSU system exists to provide opportunity for concerns to be raised across the range of services we provide, a large number of fundamental standards could potentially relate to the matters raised.
Data Security and Protection Toolkit	Yes		No	x
Any other specific standard?				x
Have these areas been considered ? YES/NO				If Yes, what are the implications or the impact? If no, please explain why
Service User and Carer Safety, Engagement and Experience	Yes	x	No	
Financial (revenue & capital)	Yes		No	x
Organisational Development /Workforce	Yes	x	No	
Equality, Diversity & Inclusion	Yes	x	No	
Legal	Yes		No	x
Environmental sustainability	Yes		No	x

Freedom to Speak Up Guardian Annual Report 2023-24

Section 1: Analysis and supporting detail

Background information and recent updates from the National Guardian's Office

- 1.1 The National Guardian's Office (NGO) is an independent body sponsored by the Care Quality Commission (QCQ) and NHS England to support, strengthen, and develop Freedom to Speak Up. Please see **appendix 1** if you are interested in seeing the National Guardians Priorities for 2023/2024.

Reporting and Information Sharing by the FTSU Guardian

- 1.2 The FTSU Guardian meets regularly with the Chief Executive, Chair of Governors, Non-Executive Director lead for freedom to speak up and Director of corporate governance the executive lead, to discuss any issues and to share themes coming through FTSU.

The FTSU Guardian also meets with the Executive Director of Nursing, Professions and Quality and Director of Operations to share clinical concerns, identify learning, and ensure concerns have been addressed. The FTSU Guardian has started to regularly meet with the Executive Director of People and the Deputy Director of People to help improve the learning and the response of non-clinical concerns.

FTSU reports are submitted to the People Committee and Quality Assurance Committee and the Board. The reporting structure was reviewed in 2023 to ensure that it is effective. The FTSU attends quarterly to the Executive Managers Team meeting. Following the review FTSU reports are no longer submitted to the Audit and Risk Committee. Reports will be provided every six months

Actions taken to develop and embed speaking up at SHSC during 2023/24

- 1.3 The following are examples of key actions taken:
- The FTSU Ambition and Strategy was launched in May 2023 with the emphasis being on improving awareness, removing barriers to speaking up and improving identification of learning from concerns raised. Please see **appendix 2**
 - The FTSU attended a private board to contribute to the conversation to the trust's response to the Lucy Letby verdict
 - Promotional information has been published in Connect, the trust's electronic newsletter
 - The FTSU Role and the importance of raising concerns is now strongly integrated in the CEO slot for the welcome events for new starters.
 - FTSU publicity materials are shared in every cascade meeting with leaders from across the trust
 - The Guardian attended trust wide induction events to promote "speaking up"
 - Heads of Services have promoted a manager's guide to speaking up and listening up training to managers

- The Guardian has met with the Staff network chairs to promote collaboration
- Bitesize training is being developed to help promote and strengthen the trust speak up culture
- Learning from FTSU concerns has been shared in the safety bulletins as well as in Connect and in other forums
- The Speaking up raising concerns (Whistleblowing) Policy was reviewed. Please see **appendix 3**

Staff Experience of Speaking Up and barriers to speaking up

- 1.4 Everyone who raises a concern is asked for feedback about their experience. This is done verbally as well as through an anonymous survey.

Feedback from the anonymous FTSU survey for the financial year 2023/2024 is still incomplete and will be updated in due course. The quantity of feedback from the anonymous survey is far lower than verbal feedback. The results from the survey so far is as follows:

In total there were 11 responses and all of them indicated that given their experience of speaking up they would feel safe to raise a concern again through the FTSU Guardian.

The reason why staff approached the FTSU Guardian was due to

- They believed they would suffer detriment by speaking out
- The concerns affected more than just their team
- The issues had been raised before
- They did not feel safe speaking up in their team

Nearly half the staff who responded to the anonymous survey contacted the FTSU Guardian as they felt they would “suffer detriment” by speaking up. The staff survey results also highlight that not all staff feel safe to speak up and it is widely accepted that some groups of staff face additional barriers to feeling safe speaking up.

There is ongoing work in the trust to remove barriers in speaking up. Work includes clear messages in induction, strengthening staff network groups, the introduction of Patient Safety Incident Response Framework, just culture, values work and the FTSU Guardian releasing bitesize training reinforcing positive messaging that staff will be supported to speak up.

Most staff responded positively when asked if they thought their concern was taken seriously. However, only 2 responded that their concern had been resolved, 5 responded that it hadn't been resolved and 4 responded it had been resolved in part. Although everyone is asked to comment on their answer there is little additional information which makes it difficult to fully understand the circumstances around the answers.

Detriment

- 1.5 There has been a small increase in the anonymous survey of staff indicating that they have experienced disadvantages after speaking up. There have been a total of 7 such cases, including 3 already known about. The comments from the survey included treatment from speaking up:

- The issue was pushed back and framed as partly my issue.
- People dislike you for it
- I spoke to my line manager following advice from freedom to speak up and HR, however, following the conversation, I don't feel that I have been supported and I wish I hadn't spoken up.

Unfortunately, the comments do not give enough detail to understand the issue the staff faced. In December an e-mail was sent widely within the trust and included everyone who had spoken up to update them on FTSU matters and to request that they get in contact should there be any issues or if I can support in any way.

Where the FTSU Guardian was aware of staff who felt they had suffered detriment from speaking up the trust responded positively. In one case, where someone felt that they had been targeted after complaining about a staff member, Human resources investigated. After the investigation the person thanked the Guardian for facilitating the investigation and indicated they did not disagree with the findings that the two incidents were unconnected. In the other case the director of Nursing became personally involved to offer support.

There is clear messaging from the Chief Executive that staff will not face any disadvantageous treatment by speaking up and when staff do “speak up” they will be thanked and listened to. This message is heavily promoted in the trust wide induction by the Chief Executive and the FTSU Guardian.

Last year the trust ran a pilot where the FTSU Guardian could refer any case where there are serious allegations of detriment to HR to be investigated further. Fortunately, we did not need to use this, but it has been agreed to extend this pilot by a further 12 months.

Most staff who approach the FTSU Guardian with concerns believe they will suffer detriment should they raise it in their workplace. As such the FTSU Guardian raises the majority of concerns on behalf of staff rather than supporting them to do so. This is important to note as we need to ensure staff feel safe in raising concerns in the workplace.

Concerns Raised and Concern category

1.6 There were 104 FTSU concerns raised in the financial year from 1/03/2023-29/02/2024 compared to 98 concerns raised in the previous financial year. There has been a steady year on year increase of concerns being raised to the FTSU Guardian.

A concern is recorded at the initial contact and it may involve advice, signposting, investigation, facilitating an action, providing support or the person dropping out.

All concerns received are labelled by their primary category and a second category is sometimes identified if appropriate. Figure 1 shows that the majority of concerns fall under 5 areas but there is some overlap between areas.

- Systems and processes
- Other inappropriate attitudes or behaviours
- Patient safety/quality
- Worker safety and wellbeing
- Leadership/Management

There has been a rise in the category “other inappropriate attitudes or behaviours” This category was introduced by the National Guardian 2 years ago to capture where cases about behaviour may not fall under bullying and harassment. The number of concerns

that have been received with an element of inappropriate attitudes or behaviours has increased by 12 in the last year which is over double from the year before.

Figure 1: Concern by category

Concern by category	Primary Category 2023/24	Secondary Category 2023/24
Systems and Process	34	5
*Other inappropriate attitudes or behaviours	15	8
*Patient Safety/Quality	15	7
*Worker Safety and Wellbeing	13	6
Leadership/Management	15	2
Discrimination/unfavourable treatment Protected	6	2
* Discrimination/unfavourable treatment Speaking Up	0	3
*Bullying and Harassment	3	1
Cultural	1	2
Infrastructure/Environment	2	0
Other	0	0

*Mandatory categories which are reported to the national guardian

Initial contact was made via an e-mail, telephone call or meeting, within two working days unless the FTSU Guardian was on leave, in which case an alternative contact person was provided for any urgent concerns.

General Summary and Analysis

1.7 Concerns raised or discussed with the FTSU Guardian are wide ranging from safety/ quality, systemic, relational, cultural and environmental.

Figure 2- Action taken by the FTSU Guardian

Action Taken	1/3/223-29/02/2024	Percentage (Rounded up)
Facilitated an Action	40	39%
Escalated for a response or investigation or response	31	30%
Advice Offered	24	23%
Dropped out or never responded	5	5%
Other	5	5%
Signposted	2	2%

The number of concerns that are labelled as “facilitated and action” has nearly doubled from last year. Examples of where action has been facilitated include offers of support, sharing information, connecting and making introductions to resolve matters and sharing soft information. It is unclear why there has been an increase and it is difficult to draw any firm conclusions as the numbers are relatively small.

The majority of concerns raised through the FTSU Guardian were already known about in the trust. However, the concerns raised often gave richer information, gave a voice to some staff who felt unable to raise concerns in their workplace or amplified the messages that were already being raised in the workplace.

The FTSU works closely with the Executive Director of Nursing, Professions and Quality and Executive Director of Operations which enables more effective information sharing and learning. It also helps to address some of the inconsistencies in how concerns are responded to and how we listen to staff when they speak up in their workplace. It also helps to identify and share learning which is also included in the Learning and Safety Report that is presented in the Quality and Safety group.

Systems and Process

- 1.8 Concerns that fall into this category are varied and some include local policies/practices and wider trust policies.

Six concerns were raised about the difficulty in getting information or getting their pay grade re-banded. The concerns raised helped to identify and rectify an issue in the system, helped a staff member understand about their unique circumstance and why a decision had been made and lastly facilitated a staff member to rightfully move to a higher band.

Three concerns were raised about the allocation of shifts. They were separate concerns and they were investigated accordingly. The information from one concern helped to provide additional information about a particular issue and the way in which band and agency shifts were advertised was changed.

Several concerns as to how secondments and jobs were advertised were raised. Although the trust had followed processes it was found that a team had been inadvertently not informed of a secondment opportunity and more care needed to be taken to include potentially interested staff of opportunities.

Other inappropriate attitudes or behaviours

- 1.9 Several staff highlighted issues in a particular area which allowed a greater understanding of the issues and for targeted support where it was identified.

Several concerns were raised about sexual safety in the trust. Soft information was also shared and the FTSU Guardian has been invited to the newly formed sexual safety steering group. There is extensive work happening in the trust to deliver on an action plan, to ensure we fulfil actions and commitments needed to deliver the new sexual safety charter.

Patient Safety/Quality

- 1.10 All safety concerns raised were escalated and investigated promptly to assess risk and ensure safety.

There have been several reports that preceptors have been taking charge of the ward without adequate support. Where this has been reported it has been taken seriously and the trust is clear that preceptors should not take charge of the ward. Preceptors are encouraged to report problems and they are supported to ensure they have clear roles and expectations.

Concerns including an anonymous concern were raised alleging that some staff were sleeping on night shifts. The person was thanked for raising the concern and updated

about action taken which included raising the issue with ward managers. The other actions already being taken included development of a new Standard Operating Procedure for attentiveness at work, night visits from senior managers and lighting at night. The learning included the importance of staff being able to raise issues, even if they choose to do this anonymously, as we can still address the problem.

Several staff spoke up about concerns in the same team and a listening event was arranged to better understand the issues being raised and to offer support. In this example it has been acknowledged the complexities of supporting clinical areas, making changes, getting assurances and ensuring safety, whilst supporting staff and ensuring that staff feel supported and are not blamed for wider issues. Work continues to support the team, this includes the organisational development team, focus from senior managers and Professional Nurse Advocates and increased support for preceptors.

A key initiative which focuses on patient safety/quality is the continued work around safety through, Huddle Up for Safer Healthcare, HUSH. The meetings provide a space where staff are actively encouraged to speak up and jointly act on any safety concerns they have.

There has also been the introduction of, The Patient Safety Incident Response Framework (PSIRF) which sets out how SHSC will be developing and maintaining effective systems and processes for responding to patient safety incidents for the purpose of learning and improving patient safety

Worker Safety and Wellbeing

- 1.11 Several concerns were raised about the safety of staff and the level of assaults and abuse some staff are experiencing from service users. There has been a lot of work looking at a zero tolerance approach and the trust have been working closely with the police and have brought out a hate incident reporting flow chart.

There is additional work underway looking at how best we can support our support workers who often are the most vulnerable to experiencing abuse or assault if they are working on an inpatient ward with people who are acutely unwell. It has been reported that the support offered by psychology is very useful and it is not always enough.

There have been several Initiatives to support staff wellbeing and they have included the introduction of Professional Nurse Advocates and training staff in restorative resilience supervision and both initiatives are open to all staff.

Leadership/Management

- 1.12 Some staff raised concerns as they did not feel sufficiently supported by their manager or senior managers above. In some cases, staff reported feeling unhappy with how policies were being interpreted or not followed and the impact that had on them. In some cases it was how incidents were handled and the lack of support offered after incidents that had happened. The FTSU Guardian has shared soft information about the impact on assaults with the deputy director of nursing to help improve the support we offer staff after an incident.

Several concerns have been raised about the leadership and management in one area. Time was put in to understand the issues and additional support was offered to help resolve the current issues. This example demonstrated that having an alternative route, through the guardian, for staff to raise concerns was important as additional

information was gained and additional support was provided. Staff were also able to speak freely to the FTSU

Guardian and felt confident that their concerns were escalated. The FTSU Guardian will always discuss other sources and options available to staff who they see.

The wider initiatives in the trust include ensuring our managers and leaders have the skills needed for their role and that leadership is inclusive. Information raised by FTSU has helped to inform some of the content for the new programme. It is envisioned that both areas will be identified as a trust priority for 2024/2025.

Discrimination/unfavourable treatment-Protected characteristics

1.13 Several staff reported discrimination/unfavourable treatment protected characteristics with all of the concerns being followed up. One person did not come forward and another staff member wanted to be supported and did not want to raise anything formally. One staff member raised the issues they had experienced with the head of service who investigated and addressed the issue.

Next Steps

- The FTSU Guardian will seek to continue to implement the FTSU Ambition and Strategy
- The FTSU Guardian will continue to work closely with key Directors to strengthen the FTSU culture, respond and learn from concerns raised.
- Learning from FTSU concerns will be shared in different forums to increase the visibility of FTSU, demonstrate that raising concerns is worthwhile and for other parts of the organisation to implement learning where appropriate.

Section 2: Risks

2.1 Work to implement the FTSU Ambition and Strategy and the intelligence gained from concerns raised will help to identify cultural issues and in responding to concerns it will give the opportunity for the organisation to meaningfully engage staff. The FTSU Guardian also promotes a culture of openness and transparency. The work of the FTSU Guardian and, developing a strong speak up culture, should help to mitigate Baf Risks 0014 & 0020.

Section 3: Assurance

Benchmarking

3.1 The information provided within this report seeks to demonstrate the active presence of FTSU within the organisation, its ongoing development, and efforts to respond to matters raised.

Triangulation

The FTSU Guardian will continue to work with the Director of Nursing, Professions and Quality the Director of Operations and the Director of People which enables more effective information sharing, responses to concerns and learning.

The FTSU Guardian contributes to the quarterly learning and safety report that is presented to the Quality Committee.

Engagement

The FTSU Guardian consulted a wide range of staff in the development of the FTSU Ambition and Strategy and seeks feedback from staff who raise concerns.

Section 4: Implications

Strategic Priorities and Board Assurance Framework

1. Effective Use of Resources
2. Deliver Outstanding Care
3. Great Place to Work
4. Ensuring our services are inclusive

- 4.1 Strengthening the speaking up culture positively affects all aspects of the trusts strategic priorities as well as strengthening the safety culture. It does this by promoting that all staff “ have a voice that counts” and we need all staff to feel safe to have robust conversations about services user care, raise concerns when needed and propose improvements.

Equalities, diversity and inclusion

- 4.2 FTSU concerns relating to discrimination are shared with the Chief Executive.

An Equality Impact Assessment was completed when recently reviewing the Speaking Up- Freedom to Speak up Raising Concerns (Whistleblowing) Policy was assessed for the.

There is a diverse range of FTSU Champions which allows for staff to have a greater choice of who they may feel comfortable talking to.



Culture and People

- 4.3 The work of the FTSU Guardian seeks to promote an open and transparent culture and to remove barriers for staff to feel safe to speak up.

Integration and system thinking

- 4.4 None directly arising from this report.

Financial

4.5 None directly arising from this report.

Compliance - Legal/Regulatory

4.6 None directly arising from this report, save for the good practice necessity to receive updates from the FTSU Guardian

Environmental sustainability

4.7 The following areas have been and continue to be considered by the FTSU Guardian:

- Waste reduction
- Increased productivity
- Continuous improvement to mitigate and/or adapt to climate change
- Collaboration and working together (Both within SHSC, with our partners or within our communities)

Section 5: List of Appendices

Appendix 1

[National Guardian's Office update and priorities for 2023/24 \(england.nhs.uk\)](https://www.england.nhs.uk/national-guardian-office-update-and-priorities-for-2023-24/)

Appendix 2

Freedom to Speak Up Strategy- [People Strategy \(shsc.nhs.uk\)](https://www.shsc.nhs.uk/people-strategy/)

Appendix 3

[Freedom To Speak Up Raising Concerns \(Whistleblowing\) Policy \(HR 015 V7 February 2024\).pdf \(shsc.nhs.uk\)](https://www.shsc.nhs.uk/freedom-to-speak-up-raising-concerns-whistleblowing-policy-hr-015-v7-february-2024.pdf)