

## Board of Directors (in Public)

### Item 5.2

**Subject:** Freedom to Speak Up (FTSU) 2021/22 Annual Report  
**Date of Meeting:** 26<sup>th</sup> April 2022  
**Prepared by:** Peris Widdows, Freedom to Speak Up Guardian  
**Presented by:** Peris Widdows, FTSU Guardian  
**Purpose of Report:** To Note

BAF Ref	Impact on BAF
BAF 1- 5	The report provides assurance on the arrangements in place to support staff to speak up and to ensure learning from staff concerns is identified and embedded.

#### Level of assurance (please tick one)

*To be used when the content of the report provides evidence of assurance*

<input checked="" type="checkbox"/>	<b>Acceptable assurance</b> Controls are suitably designed, with evidence of them being consistently applied and effective in practice	<input type="checkbox"/>	<b>Partial assurance</b> Controls are still maturing – evidence shows that further action is required to improve their effectiveness	<input type="checkbox"/>	<b>Low assurance</b> Evidence indicates poor effectiveness of controls
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### 1. Executive Summary

The purpose of this paper is to provide the Trust Board with an update of the work of the Freedom to Speak Up (FTSU) Guardian and Champions in supporting the safety culture within the Trust, reflect on the progress made by the FTSU Network in empowering staff to speak up freely and encouraging ongoing positive cultural change. The paper provides an overview of issues and concerns raised over the last 12 months and updates from the National Guardians Office of Freedom to Speak Up, with the aim of giving assurance that the local arrangements in place continue to meet best practice and support staff to raise concerns.

This is done in the context of an evolving and maturing national agenda that is learning from the collective experiences of FTSU Guardians, their champion networks and those at the National Guardian Office.

The Board is asked to review the annual report.

## **2. Background**

The National Guardian Office of Freedom to Speak Up (FTSU) continues to lead the way in improving the speak-up culture nationally, and maintains its mission of “making speaking up business as usual” <https://nationalguardian.org.uk/speaking-up/what-is-speaking-up/>. NHS Trusts and Foundation Trusts are mandated to employ a Freedom to Speak Up Guardian, whose role is to provide of an alternative channel for workers to raise concerns, ensuring that concerns received are escalated, investigated and followed up to enhance patient safety and worker experiences. The FTSUGs provides the Board of Directors with quarterly and annual updates of the issues raised and updates the NGO with anonymized thematic speak-up data. Themes and trends of concerns raised nationally are analyzed to inform guidance and improvements at a national level. There are currently over 700 FTSU Guardians nationally, are guided and trained by the National Guardian’s Office through whom over 50,000 speak-up cases were raised since the role introduction in 2016, all creating learning and improvement opportunities.

At the local level, the Liverpool Heart and Chest Hospital FTSU policy continues to be integrated at Liverpool Heart and Chest Hospital alongside the Trusts other forms of Speak-Up Safely channels. Through a personal speak-up safely pledge, the Trust’s Chief Executive encourages all staff to speak up and gives assurance that any concerns raised will be investigated, and the staff will be protected from any detriment after speaking up. The FTSU network comprises of the FTSU Executive Director, Non-Executive Director, the Freedom to Speak Up Guardian, Deputy Guardian, and a network of multi-disciplinary FTSU Champions, which was further refreshed between January and February 2022, to incorporate some night shift workers and a link for student nurses. The FTSUG works closely with the FTSU Executive Director and senior leaders to enable effective escalation, review and triangulation of safety and welfare concerns; a standard operating procedure within the governance process ensures that all concerns, especially any patient safety or serious issues are escalated immediately to the Chief Executive, investigated, and followed up. The FTSU Guardian continues to maintain engagement and communication with the National Guardian’s Office and the Northwest Regional Network of FTSU Guardians for support and continued learning and updates.

### **3.1 Assessment of issues: Quarters 1 - 4 2021/22**

A total of 31 concerns were raised through the FTSU policy network in the 2021/22 financial year. These relate only to concerns raised directly with the FTSUG / Champions network. Concerns raised through other safety channels e.g., with line managers or through DATIX, HALT, Safety Huddles are not logged unless referred to the FTSU Guardian. All concerns were escalated in line with FTSU

standard operating procedure.

Three concerns in the patient safety category also related to staffing levels, working policies and departmental organizational changes. These were escalated to Divisional Head of Clinical Services. Pieces of work have been commissioned in the department to address the issues. Action plans involved changes to working templates, listening events and additional training to colleagues involved in the patient safety incidents; progress review and monitoring is ongoing.

The NGO has now introduced a separate category of “Element of Detriment after Speaking Up, based on the speak-up colleague’s perception, not necessarily on outcomes following investigations. There were 4 concerns raised in this category which overlap with the bullying and harassment concerns. Nine of the cases were resolved through dialogue and communication at local levels, while two speak-up colleagues have filed formal grievances with Human Resources Department.

The themes of the concerns as per categorization by the National Guardians Office (NGO) can be viewed in table 3.1 below.

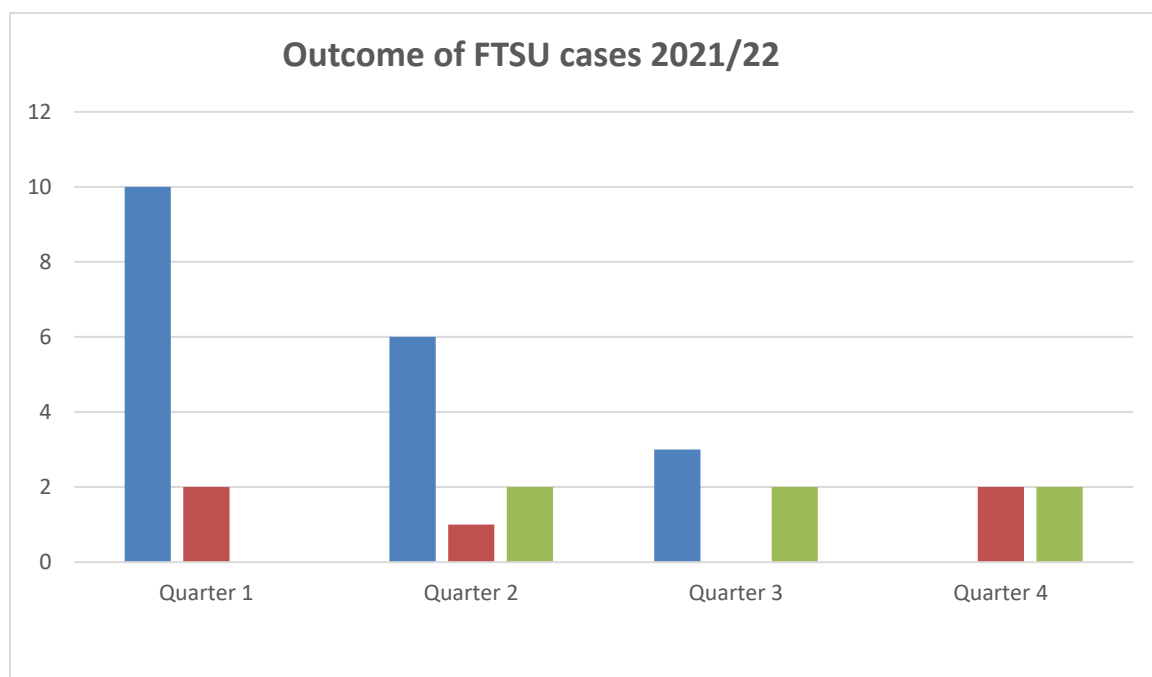
**Table 3.1 Comparative view of concerns raised in Quarters 1, 2, 3 and 4 2021/22**

<b>Themes of concerns as categorised by the NGO</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Annual Totals</b>
Element of Patient Safety / Quality	0	1	2	0	3
Worker Safety: (System processes /staffing levels, policy /organisational change).	0	2	0	0	2
Element of Bullying and Harassment	5	1	0	1	7
Detriment from speaking-up	x	1	1	1	3
Other Category: Trust values behaviours/ incivility/ poor communication, health and wellbeing, work-related stress. COVID-19 policies/ information team cultures, poor communication.	7	4	2	3	16
<b>No. of Speak-ups per Quarter</b>	<b>12</b>	<b>9</b>	<b>5</b>	<b>5</b>	<b>31</b>
<b>Concerns raised anonymously</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>4</b>

The four concerns were raised anonymously, which cited team bullying and harassment / incivility and trust values and behaviors. Investigations and pieces of work were commissioned to review cultural issues in named department. While the Trust continues to put patient safety at the center of its work, efforts are also underway to improve values and behavior through introduction of the “Be Civil Be Kind” program and regular digital comms bulletins to highlight trust values / behaviors.

Of the 31 cases, 19 have been investigated and closed, 4 speak-up colleagues were provided with advice, and one chose not to pursue the speak-up. Six cases are still in progress, two of which relate to some ongoing organizational change which. Two have been actioned but remain under review while two cases progressed to formal grievances filed and awaiting hearings. Sixteen concerns in the “Other” category related to trust values and behaviors, incivility /working relationships, communication breakdown, working-related stress and well-being and COVID-19 plus other policies.

The graph below reflects the FTSU outcomes per quarter.



**3.2** Guidelines by the NGO require recording of the professional level and category of the speak-up staff where identifiable. The table overleaf reflects the professional level of individuals who spoke for four quarters, as per the reporting guidance issued by the National Guardian Office.

Concerns raised by staff bands	Worker	Senior Manager	Senior Leader	Unknown/ Undisclosed	Total
<b>Q4 2021/22</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>
Q3 2021/22	5	0	0	0	<b>5</b>
Q2 2021/22	6	0	0	3	<b>9</b>
Q1 2021/22	9	0	0	3	<b>12</b>
<b>Annual totals</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>31</b>

**3.3** The table below reflects the professional groups who raised concerns for the current and previous 3 quarters as per the National Guardian Office guidelines.

Concerns raised by professional groups per quarter	Q4 2021/22	Q3 2021/22	Q2 2021/22	Q1 2021/22	Annual total
Medics	2	0	0	2	<b>4</b>
RGN/ Midwives/ ANPs	1	3	1	2	<b>7</b>
Nursing Assistants & HCA	0	0	0	0	<b>0</b>
Allied Health Practitioners	1	2	2	0	<b>5</b>
Admin, Clerical	0	0	3	0	<b>3</b>
Maintenance/Ancillary/ Cleaning/ Catering	0	0	0	1	<b>1</b>
Corporate Service Staff	1	0	0	1	<b>2</b>
Undisclosed	0	0	3	6	<b>9</b>
<b>Total number of speak-ups</b>	<b>5</b>	<b>5</b>	<b>9</b>	<b>12</b>	<b>31</b>

The undisclosed group consists of concerns raised anonymously and colleagues who some who contacted then FTSU champions confidentially.

### 3.4 Comparative data for the past 3 years:

The table below shows a year-on-year comparator of concerns raised.

Year	Bullying and Harassment	Patient Safety	Worker Safety	Detriment from speaking up	Other	Total cases raised
2018/19	10	6	x	x	9	25
2019/20	7	1	x	x	11	19
2020/21	10	7	x	x	17	34
2021/22	7	3	1	4	14	31

Some categories like worker safety and detriment from speaking up have been introduced by the NGO in the current financial year and as such were not previously recorded.

### 3.5 Governance

The FTSU standard operating procedure and escalation process is shared with the FTSU champions and upheld, to ensure adherence to the FTSU policy and the standard concern escalation process. The FTSU escalation flow chart can be viewed on appendix 1. Engagement with the FTSU Champions for learning and development, updates and guidance are maintained through regular communication with the guardian. Executive Director of FTSU provides guidance and support to the FTSUG through regular meetings, email correspondence and maintains an open-door policy for urgent queries.

Ongoing quarterly Safety Surveillance meetings to facilitate triangulation of FTSU with other patient-safety metrics continue. The Quarterly 'Improving People Practices' meeting between the FTSUG and HR Business Partner had been temporarily put on hold following a long sickness absence in the team. However, communication between FTSUG and HR Business Partners has been maintained which enables triangulation of FTSU concerns to be with ongoing employee relations cases, to facilitate a review of welfare support for any staff member undergoing an HR process. A period of sickness absence by the FTSUG in Q4 2021/22 impacted on availability, which led to cancellation of the Quarterly briefing between the FTSUG, Executive Director, NED Lead for FTSU and the Chair as well as the champions drop-in sessions. These will be resumed in Q1 2022/23. FTSU cover during that period was upheld by the Deputy FTSUG.

### 3.6: FTSU Awareness Raising Activities

- FTSU policy, network posters with contact information, as well as the Chief Executive Speak-Up Pledge are displayed and accessible on the trust intranet, and notice board around the trust.
- Regular FTSU awareness raising walkabouts are conducted. Any safety concerns picked up during these walkabouts are escalated immediately or colleagues signposted as applicable.
- FTSU presentations at team audit days conducted with prior arrangement with the managers.
- Presentations at Trust's monthly Team Brief continue to raise awareness of recurring themes and cascade information from the NGO.
- FTSU bulletins, such as screen savers and digital communications to highlight the October Speak-up through FTSU posted with the help of Trust's Digital Communications Team posts

### 3.7 Progress Evaluation and next steps

The FTSU Policy was reviewed in July 2021. The next review is due in July 2022. An internal audit by MRHA will be conducted in May/June 2022, led by the Governance Director at LHCH, to review FTSU arrangements for Quarter 1 2022/23 and for benchmarking against other similar organizations. The Board Review which had been put on hold due to the Covid-19 pandemic since 2020 is set implemented in quarter in the current quarter one, 2022/23.

The NGO launched the Speak-Up, Listen-up and the newly released Follow-up training. The FTSU Network complete Speak-up training on mandatory basis and raise awareness of the training modules through presentations and direct contact with colleagues. The FTSUG is working in liaison with the Education Team to establish way to improve and monitor uptake trust-wide.

Following closure of the speak-up cases, staff who have raised concerns to the FTSU guardian and champions are asked to feedback on their experience of speaking, after the cases have closed. Feedback received this quarter offers assurance that speak-up colleagues would be happy to raise concerns through the FTSU policy again.

### 3.8: Highlights from the National Guardian Office

- Dr Jayne Chidgey-Clark was appointment the new National Guardian in Nov 2021 after the NGO bid farewell Dr Henrietta Hughes who had held the post since 2016.
- The National Guardian Office's Freedom to Speak Up Strategic Framework was released 1 July 2021 (available at: <https://nationalguardian.org.uk/wp-content/uploads/2021/07/NGO-Strategic-Framework-2021.pdf>) with a vision to work in partnership to improve speaking-up culture nationally. The four pillars of focus being:
  - Freedom to Speak-Up Guardian: enhancing the role through training and continued support.
  - Workers: empowering and supporting workers to speak-up.
  - Leadership: supporting and encouraging leaders at all levels to foster positive speak-up, listen-up and follow-up culture.
  - Healthcare system: enhancing alignment and accountability in the healthcare system through collaboration.
- The NGO perfumed and published a number of Speak up reviews to identify learning, support improvement and recognize innovation, aimed at improving overall experiences of the workers, patients and the public. A gap analysis tool created by the NGO, <https://nationalguardian.org.uk/learning-resources/speaking-up-resources/> will be utilized in the upcoming internal audit at LHCH
- The 5<sup>th</sup> Freedom to Speak Up Guardian Survey: 2021/22 was conducted in October 2021, to assess progress made since the launch of the FTSU Guardian role and identify areas that need attention and improvements. While majority of respondents suggested there were positive speak-up cultures in their organisations there was a 5% drop in the number of respondents reporting positive cultures, in comparison the previous survey. In a press release, Dr Chidgey-Clark has emphasized the need for continued efforts by leaders to listen, act and support to improve speaking up culture in the NHS. The survey results published on 31 March 2022 are available at: <https://nationalguardian.org.uk/wp-content/uploads/2022/03/2021-FTSUGuardian-Survey-Report.pdf>

## **4. Conclusion**

The Freedom to Speak-Up channel compliments the well-established safety culture in the trust where staff are encouraged to raise concerns. FTSU network provides an alternative channel for staff to speak confidentially or anonymously, assurance that concerns will be escalated, and workers are supported while concerns are investigated.

The FTSU Guardian will continue to maintain an active role in engaging with the staff to raise the FTSU profile, provide updates, quarterly and annual reports, on the number of concerns raised through the FTSU Network and any common themes to the Board of Directors. The FTSU guardian will also continue to engage with the National Office and regional network to ensure LHCH continues to lead the way in relation to best practice.

## **5. Recommendations**

The Board of Directors is asked to:

- i) note the 2021/22 annual report;
- ii) accept assurance that local FTSU arrangements are in place and meet best practice.



## Appendix 1:

## FTSU Escalation Flow Chart

