

## Board of Directors (in Public)

### Item 5.5\*

**Subject:** Freedom to Speak Up Guardian Quarter 3 Report  
**Date of Meeting:** Tuesday 26<sup>th</sup> January 2021  
**Prepared by:** Peris Widdows, Freedom to Speak Up Guardian  
**Presented by:** Lucy Lavan, Director of Corporate Affairs  
**Purpose of Report:** To Note

BAF Ref	Impact on BAF
WC1, WC2, IV5, DP1	This report provides positive assurance that the Trust has in place effective arrangements for staff to speak up as part of its aim to ensure an open and transparent culture that protects patients and improves the experience of staff.

#### 1. Executive Summary

The purpose of this paper is to:

- Update the Board on FTSU concerns raised in Quarter 3, 2020/21.
- Provide key themes of concerns recorded as per the National Guardians Office categorisation and the role of the FTSUG and Champions network in signposting, facilitating, guidance, providing assurance for support, follow-up and feedback.
- Provide an overview and summary of concerns raised in the year to date.
- Provide shared learning and recommendations for improvements.
- Update on the progress on the role of FTSU Guardian and Champions Network.
- Update on any national progress.

The content follows guidance from the National Guardians Office (NGO) under the following categories:

1. Assessment of Issues
2. Action taken to improve the FTSU culture
3. Benchmarking
4. Shared learning and Recommendations

#### 1. Assessment of Issues:

### 1.1 Concerns raised through the Freedom to Speak Up Policy Framework – Quarter 3 2020/21 (October – December 2020)

During the third quarter of 2021/21, nine concerns were raised under the Freedom to Speak-Up Policy. Some of these have been actioned and resolved but others are still in progress.

*Note: These concerns relate only to those raised directly through the FTSU Guardian / Champions route. Concerns raised through other channels e.g. through the safety huddle, Datix reports, with line managers or through Human Resources are not logged here, unless referred to the FTSU Guardian.*

### 1.2 The themes of the concerns as categorised by the National Guardians Office are as follows:

Themes	Quarter 3
System Processes (working practices)	2
Element of Patient Safety	2
Element of Bullying and Harassment / (Staff Values and Behaviours)	4
Other (Anxiety due to COVID-19)	1

### 1.3 The table below provides further details of the concerns raised in Q3 2020/21, actions taken and outcomes at the time of writing.

Category	Detail	Action	Outcome
1. System Processes (working practices)	Concerns raised in December by Tier-1 doctor about working beyond contracted hours, without compensation with overtime payment or Time Worked In Lieu.	Escalated to Junior Doctors' Safe Working Guardian and Director of Medical Education.  Meeting held with Tier -1 doctors on 22/12/2020 which was well attended. A piece of has been commissioned to address the issues raised in this meeting.	An action plan has been created on the 8 <sup>th</sup> of Jan 2021 to: <ul style="list-style-type: none"> <li>• Improve induction process and teaching for Tier-1 doctors;</li> <li>• Improving the culture around the treatment of junior doctors;</li> <li>• Raising awareness to junior medical team on the processes in place to raise their concerns such as creating Exception Reports.</li> <li>• Follow-up for feedback in progress.</li> </ul>
2. System Processes (working practices)	Another Tier-1 doctor also echoed above issue with additional concerns of: -a lack of formal training. -lower locum rates in comparison to regional trusts' rates.	Escalated jointly as above.	As above an action plan has been created by the Director of Medical Education to address several issues raised in the meeting.

Category	Detail	Action	Outcome
3. Patient Safety and working practices	<p>Concerns raised in Birch ward in October 2020:</p> <p>Team member concerned about reduced staffing levels.</p> <p>Team member raised concerns of a colleague's welfare (appeared under stress).</p>	Escalated to the ward manager.	<ul style="list-style-type: none"> <li>• Review of staffing - Some of the beds closed to improve staffing capacity.</li> <li>• Staffing support was sought from other areas to meet occupancy and acuity needs.</li> <li>• Ward manager reported that she is supporting any team members who are struggling with stress.</li> <li>• Feedback has been requested from the staff member who raised the concern.</li> <li>• Keep under review via regular walkarounds</li> </ul>
4. Patient Safety and working practices	<p>Concern raised in the Operating Theatres on 24/12/20:</p> <p>The employee had identified that policies for anaesthetic practice in pacing did not cover the role of the Operating Department Practitioner (ODP).</p> <p>Expressed need to improve training for the ODPs in pacing theatres.</p>	Escalated to Band 7 Manager and the Matron Surgical Directorate	<ul style="list-style-type: none"> <li>• Matron has met with the member of staff in January.</li> <li>• SOP has been re-written and awaiting completion.</li> <li>• Policy review in progress.</li> <li>• Training needs are being addressed.</li> </ul> <p>Follow-up and feedback will be completed the appropriate time-frame.</p>
5. Bullying and Harassment (Staff values and behaviours)	Concern raised in Critical Care Unit in October 2020. Concerns raised by a team member regarding working practices and differing treatment from other team member.	Referred to Critical Care Matron on 22.10.2020.	<p>The Matron has spoken to the staff member on 27.10.20.</p> <p>Mediation between the two team members commenced on 2<sup>nd</sup> of November 2020.</p> <p>Feedback request has been sent to the member of staff who raised the concern.</p>

Category	Detail	Action	Outcome
6. Bullying and Harassment	Concerns raised a in December 2020 member of staff relating to treatment by supervisor.	Escalated to Head of Department as similar concerns have been raised in the individual previously.	Head of Dept has met with the team member on 13/1/2021. Provided guidance on formal policy process and assurance for support. Currently in progress.
7. Bullying and Harassment and other working practices	Concerns raised re treatment by the manager. Team member felt anxious.	Staff member first signposted for counselling services.	Support in progress and ongoing. Feedback on progress requested.
8. Bullying and Harassment and other working practices	Concern raised Re working practices and treatment from a colleague.	Escalated to senior manager.	Team member has had conversation with senior manager. Resolved.
9. Other: Anxiety due to COVID.	Concern raised in Critical Care Unit in October	Escalated to senior manager	Support has been put in place. Feedback from team member requested.

#### 1.4 Summary of Concerns raised through the Freedom to Speak Up Policy Framework – Quarters 1,2,3; - 2020/21 is as follows:

Themes	Q1	Q2	Q3
System processes /working practices	0	3	2
Element of Patient Safety	0	1	2
Element of Bullying and Harassment / (Staff Values and Behaviours)	2	2	4
Other : (COVID-19 related): - PPE guidance and social distancing – Q1 - anxiety due to COVID-19 – Q3	2	0	1
Other: (racism in clinical area – Q1) (Working environment – Q2).	1.	1	0
Total	5	7	9

It is important to note that 21 concerns have been raised year to date through the FTSU channel.. On average, 15 concerns per annum are raised through the FTSU policy framework. The increase in concerns raised this year is not unexpected given the ongoing coronavirus crisis which has impacted upon roles and brought many changes as well as impacting on stress and anxiety.

In addition to the above, a concern was raised by a staff member from a hosted organisation – this is being managed locally via the Innovations Agency.

## **2. Actions taken to improve the FTSU culture:**

### **2.1. Increasing visibility and raising awareness:**

The current FTSUG and new network of champions have been in their roles for about 10 weeks. During this time, regular departmental walk-about sessions have been conducted by the FTSU Guardian and Deputy Guardian, with support and advice offered by the FTSU Executive Lead. The aim is to create visibility, to raise FTSU profile and raise awareness of the trust Speak-Up Safely policy to continually improve the speak-up culture. During these walkabouts, the Chief Executive's Pledge and LHCH Safety & Speak-Up channels are appraised. It's important to note that some general staffing feedback raised during these walkabouts has been escalated to the Duty Managers and addressed immediately, and as such were not been documented in the formal FTSU logs. Other activities to improve the FTSU culture include attendance to Team Briefs, Junior Doctors Forum, safety huddles, Equality and Diversity Meetings and liaison with Staff Union Reps. The FTSU Guardian is working in collaboration with the Staff Welfare and Improvement Teams to maximise outcomes through shared resources.

### **2.2. Objectives for FTSUG on improving the FTSU culture:**

- Presentations by FTSUG / Champions to raise awareness.
- Build on existing and ongoing work to address barriers to speaking up such as empowerment of BAME staff groups, junior doctors etc .
- Working on ideas and ways to include hard-to-reach staff groups such as those working in isolation, from home and on night shifts.

## **3. Benchmarking**

A review of the themes reported at LHCH Q3 2020/21, benchmarked against the Freedom to Speak Up Guardian Report by The Guardian Services Limited (GSL) for Q1 and Q2, 2020, indicates greater than average percentages for the issues and themes recorded, in particular, the bullying and harassment / behavioural relationship category. It's worth noting however, that LHCH was highly rated in the Freedom to Speak Up Index 2019/2020, so the higher than average rates of incidences may also be indicators of a healthy speak-up culture as opposed to the presence of a bullying culture in the trust. The outcome of the 2020 National Staff Survey which is still in progress will provide more insight.

On COVID-19 related issues, concerns raised at LHCH followed the same trend as those raised nationally. Only one of the issues raised through the FTSU channel in Q3 related to anxiety from COVID-19. While this follows the trend of reductions of COVID related speak-ups nationally towards the end of 2020 in comparison to the beginning of the pandemic, it's worth noting that there are several other routes where workers are encouraged to raise concerns at LHCH and that the FTSU policy is only one of channels.

## **4. Shared learning**

The most recent NGO of case reviews at Whittington Health NHS Trust publication in June 2020, highlighted recommendations for learning and areas of improvements for the FTSU culture in the trust. A review of the report suggests that FTSU policy and practice at LHCH are upheld in keeping with the recommendations, in most of the areas highlighted, such as thanking the workers who raised concerns and providing support, follow-up and feedback. Some of the areas where more work was needed were:

#### **4.1. Training individuals with specific speaking up responsibilities:**

- The FTSUG already completes the Guardian training offered by the NGO following appointment.
- The NGO in conjunction with Health Education England has released three e-learning modules for all workers, updated in October 2020, which are available on the Trust's ESR system. These modules will be made mandatory for the FTSUG, Executive Lead, NED and FTSU Champions.
- Current FTSU champions have been provided a link to access the training modules on Health Education England website.

#### **4.2. Delays in handling grievances:**

- Factors that impact on the grievance process are noted.
- Further work will enhance our response to grievances through the Improving Peoples Practices Work and review of policies.
- The FTSUG holds regular meetings with the HR Senior Business Partner to enhance insight on the handling and progress of grievances.

#### **4.3. Exit interviews:**

- Exit interviews are available for 'everyone' leaving the organisation either face to face or online facilitated by the Human Resources Team.
- A review of processes in place for the junior medical teams, following the recent speak-up by Tier-1 doctors, indicates that they are not offered exit interviews, as they are in rotation and therefore, not necessarily considered as officially leaving the trust. The FTSUG has raised this with HR Business Partner and recommendations made improve the process, in order to gain feedback from those working in rotational contracts, which can help improve practices for others.

### **5. Recommendations**

The Board of Directors are asked to note the Q3 report.

