

## Board of Directors (in Public)

### Item 4.2

**Subject:** Freedom to Speak Up Guardian Annual Report  
**Date of meeting:** Tuesday, 28th April 2020  
**Prepared by:** Helen Turner, FTSU Guardian  
**Presented by:** Helen Turner, FTSU Guardian  
**Purpose of Report:** To Note

BAF Ref	Impact on BAF
1.3, 4.1	The report provides strong assurance on the arrangements in place to support staff to speak up and to ensure learning from staff concerns is identified and embedded.

#### 1. Executive Summary

The 2019/2020 financial year has marked the fourth year of the Freedom to Speak up Guardian (FTSUG) role and that of the Freedom to Speak Up (FTSU) Champions Network at LHCH.

This paper provides a reflection on the work undertaken during the fourth year of implementation and its effectiveness in supporting positive cultural change through enabling staff to freely speak up.

A summary of FTSU activity over the last 12 months is provided 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 and progress made to date.

#### 2. Background

At LHCH, considerable work had already been done prior to the introduction of the Freedom to Speak up Policy and FTSUG role, to strengthen and embed a culture of safety including the introduction of the daily safety huddle, speak out safely campaign, recognition of human factors and the HALT process. The Chief Executive personally pledges to all staff that they will be protected when they speak up about matters of patient and staff safety and this is regularly reinforced on induction day, via team brief, screensavers and a recent poster campaign through 'speak up' month. It is also reinforced to staff that it is their duty to speak up immediately if they feel there is any risk to safety. In this context at LHCH, the FTSUG and champions network compliment existing mechanisms, providing a further route for staff to speak up and also the resource to support any staff member who has raised concerns, regardless of the route that they have chosen.

At a National Level, the Office of the National Guardian has progressed the following areas:

- Conclusion and evaluation of the case review pilot and the decision to continue this work as business as usual.
- Launch of discrete National Guardian website <https://www.nationalguardian.org.uk/>
- Improvements to quarterly reporting mechanism
- Introduction of Guardians to primary care; MoD; fire service
- Annual national survey and associated recommendations.
- National conference replaced with Regional Integrated Development Events (RIDE)
- Introduction of Regional Liaison Leads
- Publication of 100 voices – examples of FTSU cases.
- Staff Survey FTSU Index Award
- October as 'speak up' month – highlighting and increasing the profile of the importance of FTSU and 'speaking up'.
- Settlement Agreement Guidance.
- Updated guidance for Board of Directors to help Boards create a culture that is responsive to feedback and focused on learning and continual improvement.

### 3. Key Achievements

Responding to both our local and national context, key achievements during 2019/20 include.

- Top specialist acute hospital in the staff survey FTSU index and second placed overall in acute Trusts.
- Review of new guidance for BoD on FTSU presented and discussed at Board in November 2019. (see section 4)
- Presentation by LHCH Guardian at the annual regional RIDE conference on LHCH safety culture.
- Attendance at clinical leads strategy day.
- Case study of LHCH in the FTSU staff survey index report.
- Benchmarking and reporting of LHCH against NGO case reviews in BoD reports.
- Increased awareness of the need for good working relationships
- FTSUG attendance at regional and national meetings/conferences.
- Reporting of concerns to Board of Directors in line with NGO reporting.
- FTSU presentation to LHCH volunteers.
- FTSU has a high profile within the organisation, examples outlined below:
  - FTSUG active member of the Equality and Inclusion Steering Group
  - FTSUG actively involved in supporting the BAME Group and Dr Ghotkar FTSU champion was interim chair.
  - FTSUG attends Junior Doctors forum
  - FTSU presentation on multi-disciplinary preceptorship programme – Safe from Harm
  - FTSU monthly presentation at team brief
  - Dedicated intranet page available to all staff
- 19 Concerns were raised to the FTSU Guardian and/or champions in 2019/20 and categories of concerns raised and staff bandings can be found at appendix 1. These have included concerns that relate primarily to staff values and behaviours but also some issues associated with working practices and with patient safety. Example of learnings from concerns raised can be found at appendix 2.
- Of the concerns raised none have been anonymous in comparison to last year which saw 5 concerns reported anonymously.
- FTSU strategy completed but on hold until cessation of CoVid work

#### 4. Concerns Raised 19/20

The tables below shows the concerns raised in 2019/20

Concerns raised	Bullying and Harassment	Patient Safety	Other	Total
Q1	2	0	3	5
Q2	2	1	1	4
Q3	1	0	4	5
Q4	2	0	3	5
<b>Total</b>	<b>7</b>	<b>1</b>	<b>11</b>	<b>19</b>

Of the 11 concerns raised in the 'other' category, 6 were to related to values and behaviours, 3 related to staff health and safety, 1 working practices and 1 HR issue.

At appendix 1, tables show the bandings and professional groups who raised concerns. In keeping with the national trend nurses raised the most concerns; corporate staff were the second biggest group however compared to the national picture this is an outlier. All concerns from corporate staff were about values and behaviours.

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

	Bullying and Harassment	Patient Safety	Other	Total cases raised
2016/17	2	3	11	15
2017/18	9	6	2	17
2018/19	10	6	9	25
2019/20	7	1	11	19

Whilst the Trust continues to put patient safety at the centre of its work, there is still work to do to improve values and behaviour. Some of the formal meetings to do with FTSU have been suspended and will be revamped in line with new strategy.

At conclusion of the CoVid crisis and resumption of BAU FTSU will work alongside HR and the wider team responding to the 2019 staff survey results and the Improving People Practices work as well as supporting the relaunch of the Trust values.

#### 5. Guidance for BoD and Next Steps

In November 2019 the executive team and the BoD reviewed and discussed the recently published new guidance and in line with this, actions were agreed to further strengthen the FTSU culture at LHCH. Although progress has been made this has been tempered by the CoVid crisis, an update against the actions is set out at appendix 4.

#### 6. Comparative Review of Organisational Performance in relation to FTSU

Based on data available internally and externally to the organisation, an internal assessment has indicated that LHCH is meeting all national recommendations and best practice. This is indicated and evidenced through the following:

- **External Benchmarking**

- Due to the size and specialist nature of our trust, the following organisations are used as a comparative benchmark - The Walton Centre, Clatterbridge Cancer Centre, Papworth Hospital NHS Foundation Trust and Royal Brompton and Harefield NHS Foundation Trust. A summary of this benchmarking data is provided for information at appendix 3.
- Assessment against all 19/20 published national guidance and recommendations including the two published case reviews and national survey recommendations, which have been reported to BoD and at FTSU summits;
- Comprehensive assessment against updated BoD new guidance as per section 4 and appendix 4

- **Internal Evaluation**

Where possible and once the case is closed we ask the following questions in line with national guidance to those who have spoken up:

“Given your experience would you speak up again?” Yes/No/Maybe/Don't Know

“Please explain your response”

In 2019/20

4 ‘speak ups’ have responded yes

0 maybe

4 haven't responded

1 case on long term sick

7 cases awaiting follow up

2 cases have not been asked.

3 ‘speak up’ have left the Trust.

Comments include:

*“I would like to thank you for your help on behalf of myself and the other staff it's greatly appreciated”*

*“I found speak out safely a very reassuring process during a situation that made me feel quite distressed. You were extremely kind and empathetic, which put me at ease. I didn't know much about speak out safely but I wouldn't hesitate to speak up again, I would also recommend it to others.”*

*“I think you and all of The Freedom To Speak Out team do a fantastic job and I personally am very grateful to have had someone to go to when I was feeling at my most desperate”*

- **Governance**

The policy reviewed and updated to reflect quarterly BoD reporting - Audit Committee, May 2019

## **7. Next Steps**

- Ensure FTSU responds to the CoVid crisis through the staff welfare programme.
- Deliver the FTSU Strategy.

- Continue to engage with the national office and regional network to ensure LHCH continues to lead the way in relation to best practice.

The FTSU Guardian will continue to provide reports as follows:

- Updates to the BoD quarterly on the number of concerns raised through the FTSU Network and any common themes an annual report to the Board of Directors;
- A review of the policy and its effectiveness to the Audit Committee annually in November

## **8. Recommendations**

The Board of Directors is asked to:

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

## Appendix 1 – Concerns raised 2019/20

Concerns raised by staff bands	B2	B3	B4	B5	B6	B7	B8a and above	Unknown
Q1	0	0	0	3	0	0	1	0
Q2	1	0	1	0	0	1	0	0
Q3	1	2	1	1	0	0	0	0
Q4	1	0	0	1	0	0	2	1
<b>Total</b>	3	2	2	5	0	1	3	1

Concerns raised by professional group	Medics	Nurses	HcAs	AHP	Pharmacists	Admin/Clerical	Cleaning/Catering/Maintenance/Ancillary	Board Member	Corporate Service Staff	Unknown
Q1	0	3	0	0	0	0	1	0	0	0
Q2	0	0	0	0	0	0	2	0	1	0
Q3	0	2	1	0	0	1	1	0	0	0
Q4	0	1	0	0	0	2	0	0	3	0
<b>Total</b>	0	6	1	0	0	3	3	0	4	0

## Appendix 2 Learning from speak ups

The National Guardians Office emphasises the importance of learning from any speak ups reported and has also been an important part of the Trust's culture pre-dating FTSU, examples of learning include:

- **POCCU/ITU**  
Concerns over poor behaviour from senior nursing staff led to focus groups being led by the Director of Nursing.
  - **Community**  
Concerns raised about leadership and management styles have led to a series of focussed development sessions with the team and management.
  - **Health and Wellbeing**  
Reports of stress in a department have meant that we have been able to support colleagues by attendance at the Trust's resilience and managing stress at work training.
- Junior Doctors**
- Following concerns raised the Trust has intensified its support of the training and supervision of Junior Doctors.

*\*Please note that learning from all cases is sought but due to Trust size and confidentiality it is not always possible to publish lessons learnt*

### Appendix 3 – Summary of External Benchmarking

Figure 1: Benchmarking of FTSU based on Quarterly Data Return to National Office

		No. of Cases Raised	No. of cases raised anonymously	No. of cases including an element of patient Safety	No. of cases including an element of Bullying and Harrassment	No. of cases where the individual raising the concern has suffered detriment as a result of raising their concern.
LHCH	Qtr 1	5	0	0	2	0
	Qtr 2	4	0	1	2	0
	Qtr 3	5	0	0	1	0
	Qtr 4	5	0	0	2	0
The Walton Centre	Qtr 1	5	0	No data	4	0
	Qtr2	6	0	1	5	0
	Qtr 3	4	0	0	1	0
	Qtr 4	Not available	Not available	Not available	Not available	Not available
The Clatterbridge Cancer Centre	Qtr1	5	2	3	1	0
	Qtr 2	4	2	0	4	0
	Qtr 3	7	2	0	4	0
	Qtr 4	Not available	Not available	Not available	Not available	Not available
Royal Papworth Hospital NHS Foundation Trust	Qtr 1	15	0	0	15	0
	Qtr 2	No data	No data	No data	No data	No data
	Qtr 3	18	0	3	8	4
	Qtr 4	Not available	Not available	Not available	Not available	Not available
Royal Brompton and Harefield NHS Foundation Trust	Qtr 1	No data	No data	No data	No data	No data
	Qtr 2	12	1	4	7	0
	Qtr 3	No data	No data	No data	No data	No data
	Qtr 4	Not	Not available	Not available	Not available	Not available



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## Appendix 4

	Theme	Actions	FTSU Progress
1	Behaviour – do executive directors behave in a way that encourages people to speak up?	<ul style="list-style-type: none"> <li>• Introduce more regular staff poll/pulse surveys.</li> <li>• Reintroduction of formal programme for exec walkabouts.</li> <li>• Trust values reviewed but not yet launched.</li> <li>• Focus for annual appraisals – FTSU question to be part of appraisal process.</li> </ul>	<ul style="list-style-type: none"> <li>• FTSUG to provide question for annual appraisal process</li> </ul>
2	Commitment – how does the Board demonstrate its commitment to creating an honest and open culture.	<ul style="list-style-type: none"> <li>• Ensure coverage of cultural issues in Board Development Programme.</li> <li>• People Committee to review themes of bullying and harassment and receive regular assurance of sustained and ongoing focus.</li> <li>• Resourcing of FTSU Guardian and champions.</li> </ul>	<ul style="list-style-type: none"> <li>• Big Conversation organised for March 20 to discuss approach to champion's network postponed due to CoVid crisis.</li> </ul>
3	FTSU Strategy – vision and strategy to support FTSU	<ul style="list-style-type: none"> <li>• Develop a more comprehensive strategy to improve FTSU culture.</li> </ul>	<ul style="list-style-type: none"> <li>• Strategy developed and agreed by the executive team with monthly plan of events on hold due to Covid crisis</li> </ul>

4	Support for FTSU Guardian	<ul style="list-style-type: none"> <li>• Review resource provision</li> <li>• Review and develop champions network.</li> <li>• Establish regular meeting with Director of People and Culture and meet twice yearly with Chair and NED lead.</li> <li>• Improve data dashboard to support FTSU summit.</li> </ul>	<ul style="list-style-type: none"> <li>• Big Conversation organised for March 20 to discuss approach to champion's network postponed due to CoVid crisis.</li> <li>• Met with Director of People and Culture and colleagues to discuss strategy. Further meetings postponed due to CoVid crisis</li> <li>• Dashboard and content of FTSU summit reviewed and agreed. Summit meetings on hold due to CoVid</li> </ul>
5	Be assured that FTSU Culture is Healthy and effective	<ul style="list-style-type: none"> <li>• Convene learning event from Holly investigation.</li> <li>• OD plan to support areas where culture and leadership needs improvement; and build into appraisals.</li> <li>• Review FTSU learning at Divisional Governance meetings twice yearly.</li> <li>• Include review of speaking up policy arrangements in internal audit plan (every two years).</li> <li>• Repeat culture survey every two years.</li> <li>• Deliver HR/OD action plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Learning event on hold due to CoVid 19</li> </ul>
6	Be open and transparent with external stakeholders	<ul style="list-style-type: none"> <li>• No actions agreed</li> </ul>	