

## Board of Directors (in Public) Item 5.2

**Subject:** Freedom to Speak Up (FTSU) Guardian – Quarter 2 Report  
**Date of Meeting:** Tuesday 26<sup>th</sup> November 2019  
**Prepared by:** Helen Turner, FTSU Guardian  
**Presented by:** Helen Turner, FTSU Guardian  
**Purpose of Report:** To Note

BAF Ref	Impact on BAF
1.1, 1.3, 3.7, 4.1	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 the quarterly Freedom to Speak Up (FTSU) paper is to:

- Update the Board on FTSU concerns raised in Quarter 2;
- Update on national progress

### 2. Concerns Raised through the Freedom to Speak Up Policy Framework – Quarter 2 2019/20

During the second quarter of 2019/20, three concerns were raised under the Freedom to Speak up Policy. The themes of the concern as per categorisation by the National Guardians Office (NGO) were:

Element of Bullying and Harassment	2
Element of Patient Safety	1
Other	1

*Note: These concerns relate only to those raised directly with the FTSUG / Champions network – other concerns raised e.g. through safety huddle or with line managers are not logged unless referred to the FTSU Guardian*

All concerns have been followed up and feedback provided to individual staff members where we were able.

The following table summarises the concerns raised since Q3 2018/19:

Quarter	No. of contacts	Category	Detail
2019/20 – Q2	3	1. Patient Safety and Bullying and Harassment	Concerns about patient care and possible bullying and harassment were escalated to the Cath Lab manager for investigation. The reports were not substantiated by staff and there was found to be no harm to the patient.
		2. Bullying and Harassment	Concerns around the culture and application of the sickness policy were escalated to senior management. These are being investigated.
		3. Other	Requests for clarity over the uniform policy during hot weather were addressed by senior management.
2019/20 – Q1	4	1. Other	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.
		2. Other	Following concerns raised the Trust has intensified its support of the training and supervision of Junior Doctors.
		3. Other	Unresolved payroll issues were escalated to HR.
		4. Bullying and Harassment	Concerns within nursing function - support put in place and being reviewed.
		5. Bullying and Harassment	Reports of bullying and harassment in an out-sourced service are being reviewed and addressed
2018/19 – Q4	4	1. Other	Community service - Concerns over administration service review. Review has completed and concern resolved.
		2. Other	Anonymous letter - raising concerns over bullying/lack of leadership.
		3. Patient Safety	Anonymous email – Theatres, concerns raised

			over consent process were investigated and found to be unfounded. Consent policy had been adhered to.
		4. Other	Anonymous letter – raising concerns over bullying and leadership style within the admin function
2018/19 – Q3	14	1. Patient Safety	Investigated and no harm to patient – learning published in SOLE bulletin and included further in the report.
		2. Bullying and Harassment	HR investigation concluded
		3. Other (values and behaviour)	Culture of a clinical team resulted in an away day where views were aired - learning published in SOLE bulletin and included further in the report
		4. Patient Safety	Anonymous letter received about a recruitment process in a clinical area. HR reviewed the process.
		5. Bullying and Harassment	Anonymous letter regarding Ward culture – (see No. 12)
		6. Other (values and behaviour)	Escalated to Theatre Matron
		7. Other	Charitable donation use – concluded and items bought for theatres area.
		8. Bullying and Harassment	Complaint about culture on ward – reviewed and found no case to answer. (see No. 12)
		9. Other	Request for information on bank staff A/L entitlement - referred to HR
		10. Bullying and Harassment	Escalated to Head of Nursing Clinical Services for review and concluded
		11. Bullying and Harassment	Grievance investigated by HR and concluded. (see No.12)
		12. Bullying and Harassment and Patient Safety	Complaint about ward culture by 16 members of staff – investigation concluded.

2018/19 – Q2	3	13. Patient Safety	Capital money confirmed to buy a bladder scanner
		14. Bullying and Harassment	Complaint about ward culture (see No.12)
		1. Bullying and harassment	1. Investigation underway and HR process being followed
		2. Values and behaviours	2. Team leader facilitated culture work with external facilitator for full team engagement.
		3. Patient Safety	3. Escalated to AMD Surgery for review

The tables below reflect the bandings and professional groups the ‘speak ups’ came from.

### Banding and Staff Groups

Concerns raised by staff bands	B2	B3	B4	B5	B6	B7	B8a and above	Unknown
	1	0	1	0	0	1	0	0

Concerns raised by professional group	Medics	Nurses	HCA's	AHP	Pharmacists	Admin/Clerical	Cleaning/Catering/Maintenance/Ancillary	Board Member	Corporate Service Staff	Unknown
	0	0	0	0	0	0	2	0	1	0

## Benchmarking

### 3. National Update

The FTSUG attended the biannual north-west regional network meeting at Preston Royal Hospital. Also in attendance were the Regional Clinical Director for CQC Deborah Turner and Jenni Fellowes, NGO Regional Liaison Lead for the North

The main points arising from the meeting were:

- A discussion around the thoroughness of CQC inspections in relation to well-led and FTSU
- Of 13 FTSU escalations to CQC in September and October, 10 were about timescales of the process and not knowing what the next steps were.
- Recommended that we link in with the F1 ‘lessons learnt’ leads
- Recommendation for FTSUG to attend Junior Doctor Forums
- No national conference next year, instead will be regional conferences, scheduled for 31.3.20
- New E-learning coming out for all staff

- Commitment from group to discuss Dido Harding - Improving People Practices Letter at the regional conference.

#### Actions arising for LHCH from Network Meeting

- Continue focus on getting the process right for those who have spoken up.
- E-learning for champions
- Refresh champions network
- FTSU to link in with the F1 lessons learnt leads

In July 2019 further guidance for Boards was published and the Executive Director lead for FTSU discusses this in a separate paper.

### Case Review 7 – North West Ambulance Service (NWAS)

In Quarter 2, Case Review 7, North West Ambulance Service (NWAS) was published with recommendations specifically for the Trusts involved, and for consideration by the wider sector.

Benchmarking against the recommendations can be found at Appendix 1.

The case has some parallels with a recent 'speak up' at Liverpool Heart and Chest Hospital where multiple people spoke up. There are a number of learnings from this including the need to ensure effective communication to all parties on progress and the length of time to reach resolution. A learning session is to be facilitated by Weightmans in the near future.

The NWAS Review also threw light on the fact that there is currently only one trained mediator at Liverpool Heart and Chest Hospital. As part of FTSU awareness raising we talk about relationship breakdown as the number one reason for people coming to FTSU and ask that staff 'speak up' about it before things get out of hand. However the lack of mediators at LHCH does not support this and consideration will be given to training up more mediators as part of the new education and leadership development programme.

### 4. Learning from FTSU

Work is on-going to improve the values displayed by staff employed by outsourced service such that these correspond with LHCH values.

### 5. Feedback to FTSU

Of the three cases reported in Q2, we have had feedback about 1 staff member who raised a concern: .

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

It should be noted that we tend to receive feedback on 'speak ups' where the outcome has been agreeable to the person speaking up; a trend reported throughout the regional network.

### 6. FTSU Next Steps

Action	By Whom	By When
Continue with team awareness raising sessions.	FTSUG and Champions	December 2019
Actions from Board evaluation of new FTSU guidance	Executive Director/FTSUG	Per action plan

Refresh champion's network.	FTSUG	January 2019
Appoint BAME FTSU Champion.	FTSUG	January 2019
Appoint LGBTQ FTSU Champion.	FTSUG	January 2019
All champions to complete E-learning packages.	FTSUG/Champions	March 2019
Link up with the F1 lessons learnt leads	FTSUG	January 2019

## 7. Recommendations

The Board of Directors are asked to note the Q2 report.

Case Review 7: NWS (September 2019)			
	Recommendation	LHCH Position (RAG)	Actions required
1	<b>Merge FTSU Policy and Raising Concerns at Work policy.</b>		None currently LHCH's FTSU policy replaced the Raising Concerns at Work Policy Advised that NGO will publish a policy framework review imminently to assist with clarity how to speak up, who to speak up to and support they can receive. NHSI will review policy in 2020
2	<b>Scope of support from FTSUG.</b> Policy to make clear that the remit of the FTSUG is to support all workers to speak up regardless of the type of matter involved. Clarity about the arrangements for managing cases raised through FTSU which are then investigated through HR processes Disciplinary policy and associated standard letters, to make clear that there is a right of access to the FTSUG		Review of policy Check disciplinary letters.
3	<b>Thanking workers for speaking up.</b> Include a reference to thanking all workers who speak up in the FTSU policy		Included in policy and actively done by Guardians and champions Continue to emphasise the importance of thanking those who speak up.
4	<b>Independence of investigators into speaking up matters.</b> Ensure investigator is suitably independent		We have had no issues with this at LHCH and we continue to monitor.
5	<b>Timeliness and handling of investigation</b> Timely feedback Clarity on which policy the investigation was investigated under		A recent 'speak up' showed that there had been issues like this at LHCH. A lessons learned piece from the 'speak up' is awaited from Weighmans and now needs to be embedded.

6	Perceived negative attitudes towards female workers		A 'speak up' in 2018 had reported sexism in a Consultant team, however this has since been addressed. In general, negative attitudes to female workers has not featured in FTSU 'speak ups' or staff survey results, as an example, the executive team is 75% female.
7	Mediation		It is believed there is only one member of staff at LHCH who is a trained mediator. A recent 'speak up' showed that more trained mediators were needed at LHCH. Mediation as a route for resolving conflict is not widely known at LHCH.
8	Clarity on the role of the champions		Review of policy showed that it talks about champions and their job of signposting to support. However it may be wise to make it explicit that they are not advocates/worker representatives for those who speak up.



