

<b>Report to:</b>	Trust Board (Public)	<b>Agenda item:</b>	22
<b>Date of Meeting:</b>	04 April 2019		

<b>Report Title:</b>	Freedom to Speak Up Guardian Annual Report 2018-19			
<b>Status:</b>	<b>Information</b>	<b>Discussion</b>	<b>Assurance</b>	<b>Approval</b>
	x		x	
<b>Prepared by:</b>	Elizabeth Spicer, Freedom to Speak Up Guardian			
<b>Executive Sponsor (presenting):</b>	Paul Hargreaves, Director of Organisational Development and People			
<b>Appendices (list if applicable):</b>	Gap Analysis Update – Appendix A			

<b>Recommendation:</b>
The Board is asked to note the report.

<b>Executive Summary:</b>
All organisations which regulate or provide NHS healthcare should implement the principles and actions set out in the Freedom to Speak Up (FTSU) report: This paper provides the Board with examples of best employment practice for FTSUG across the NHS, with the intention that Salisbury NHS Foundation Trust adopts a similar approach.

<b>Board Assurance Framework – Strategic Priorities</b>	Select as applicable
<b>Local Services</b> - We will meet the needs of the local population by developing new ways of working which always put patients at the centre of all that we do	<input checked="" type="checkbox"/>
<b>Specialist Services</b> - We will provide innovative, high quality specialist care delivering outstanding outcomes for a wider population	<input type="checkbox"/>
<b>Innovation</b> - We will promote new and better ways of working, always looking to achieve excellence and sustainability in how our services are delivered	<input type="checkbox"/>
<b>Care</b> - We will treat our patients, and their families, with care, kindness and compassion and keep them safe from avoidable harm	<input checked="" type="checkbox"/>
<b>People</b> - We will make SFT a place to work where staff feel valued and are able to develop as individuals and as teams	<input checked="" type="checkbox"/>
<b>Resources</b> - We will make best use of our resources to achieve a financially sustainable future, securing the best outcomes within the available resources	<input type="checkbox"/>

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### **1 Purpose**

- 1.1 This is the first annual report to the Trust Board by the newly appointed Freedom to Speak Up Guardian. The plan is to report annually to a Public Board Meeting and quarterly to the Workforce Committee. The purpose of this paper is to provide the Board with assurance that highlights progress nationally and within the Trust in relation to the Freedom to Speak Up Guardians (FTSUG) agenda.

### **2 Background**

- 2.1 The National Guardian's Office is an independent, non-statutory body with the remit to lead culture change in the NHS so that speaking up becomes business as usual. The office is not a regulator, but is sponsored by the CQC, NHS England and NHS Improvement.

The Mid-Staffordshire Inquiry and subsequent Freedom to Speak Up review by Sir Robert Francis highlighted the tragic consequences for patients and their families when health staff feel unable to speak up, are victimised for doing so, or their concerns are ignored. Following the Francis review, all Trusts are now required to appoint a named Freedom to Speak Up Guardian who reports independently to the Board on whistleblowing matters and can support the organisation in developing an open culture. The Care Quality Commission in its inspections will look at how effectively Freedom to Speak schemes work and whether they are well supported by a Trust's Board.

All organisations which regulate or provide NHS healthcare should implement the principles and actions set out in the report Freedom to Speak Up: An independent review into creating an open and honest reporting culture in the NHS - <http://freedomtospeakup.org.uk>

The CQC report for Salisbury NHS Foundation Trust published on 1<sup>st</sup> March 2019 stated 'the arrangements for the Freedom to Speak-up Guardian did not reflect the recommendations of the National Guardian's office. Work is needed on producing an integrated performance report that identifies where there may be variations and/or a need for change or improvement.'

### **3 Appointment of Freedom to Speak Up Guardian**

- 3.1 Job description and business case has been agreed and funding approved by Workforce Committee. Elizabeth Spicer has been interviewed and appointed as the full time FTSUG from 2<sup>nd</sup> January 2019.
- 3.2 The FTSUG is a unique role and has direct access to the Chief Executive Officer, Director of Organisational Development and people and is supported by a Non-Executive Director in line with the national recommendations.
- 3.3 The FTSUG is linked to a regional Freedom to Speak Up network, attends regular training and is currently on a pilot supervision scheme with the London FTSU network.

### **4 Forward Plan**

- 4.1 To complete the actions required in order that SFT achieves the recommendations of the National Guardian's Office.

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- Immediate plans are to work with Equality Diversity and Inclusion to align strategies to include Communications Strategy, updating Policies and a recruitment strategy for FTSU Champions. Protected time for Champions to be discussed and agreed.
- Delivering education on how to raise concerns and on how to respond when concerns are raised.
- Working with the Executive Team and the Board in an independent capacity; providing challenge where appropriate.
- Ensure investigations are carried out appropriately and ensure staff that raise concerns are treated fairly.
- Target staff networks to ensure that all staff members know how to access the FTSUG
- Reporting on concerns that have been raised to the Chief Executive and to the Board, reporting quarterly to the Workforce Committee and also submitting quarterly and annual reports to the National Guardian’s Office.

**4.2 Summary of issues raised April 2018- March 2019**

From April 2018 – March 2019 21 cases were raised with the FTSUG and the table below shows a breakdown by professional group:

<b>Profession</b>	<b>Cases</b>
Doctors	1
Nurses	5
Healthcare Assistants	2
Midwife	2
Dentists	0
Allied Healthcare Professionals	4
Administrative/Clerical Staff	5
Cleaning/Catering/Maintenance/Ancillary Staff	0
Board Members	0
Corporate Service Staff	2
Other	0

The cases are recorded against the following themes which have been set by the National Guardian’s Office. Please note that some cases will contain more than one theme.

	<b>Themes</b>	<b>Cases</b>
<b>1</b>	Patient Safety/Quality	11
<b>2</b>	Staff Safety	11
<b>3</b>	Behavioural/Relationship	12
<b>4</b>	Bullying/Harassment	8
<b>5</b>	System/Process	4
<b>6</b>	Infrastructure/Environmental	0
<b>7</b>	Cultural	5
<b>8</b>	Leadership	13
<b>9</b>	Senior Management Issue	5
<b>10</b>	Middle Management Issue	2
<b>11</b>	Other	0

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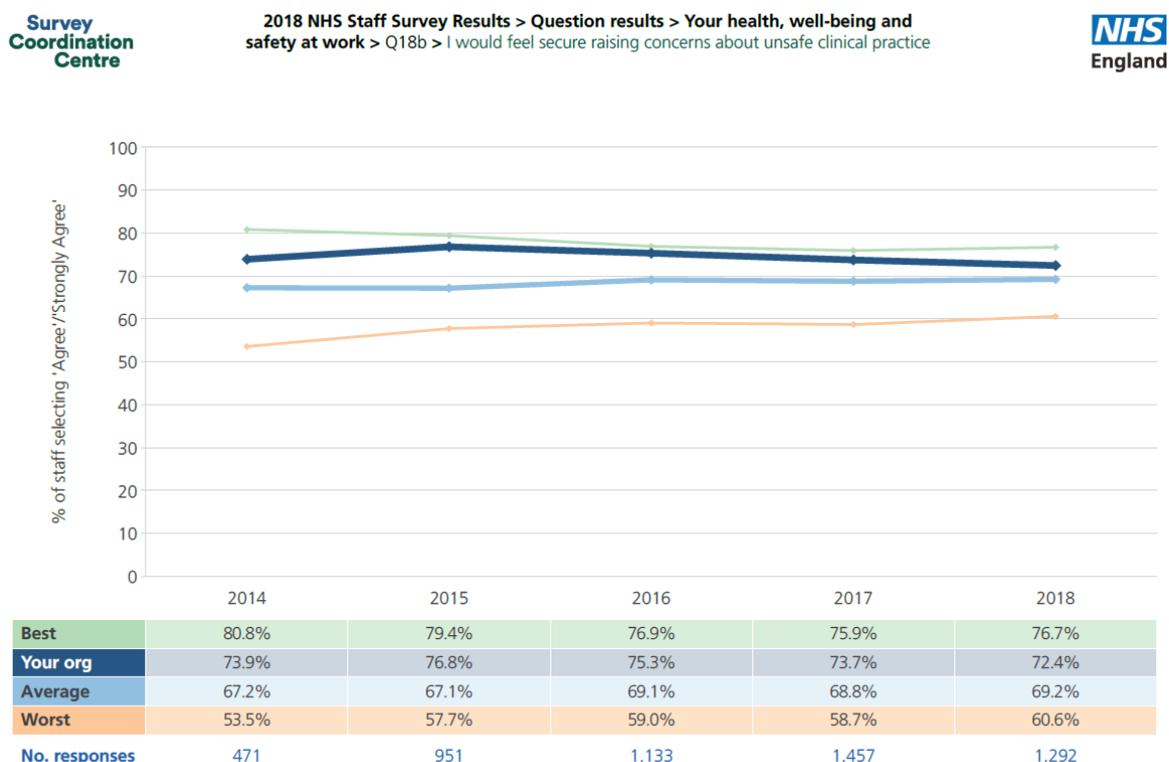
Cases that have an element of patient safety or quality have been reported to the Clinical Governance Committee and assurance provided that appropriate steps have been taken.

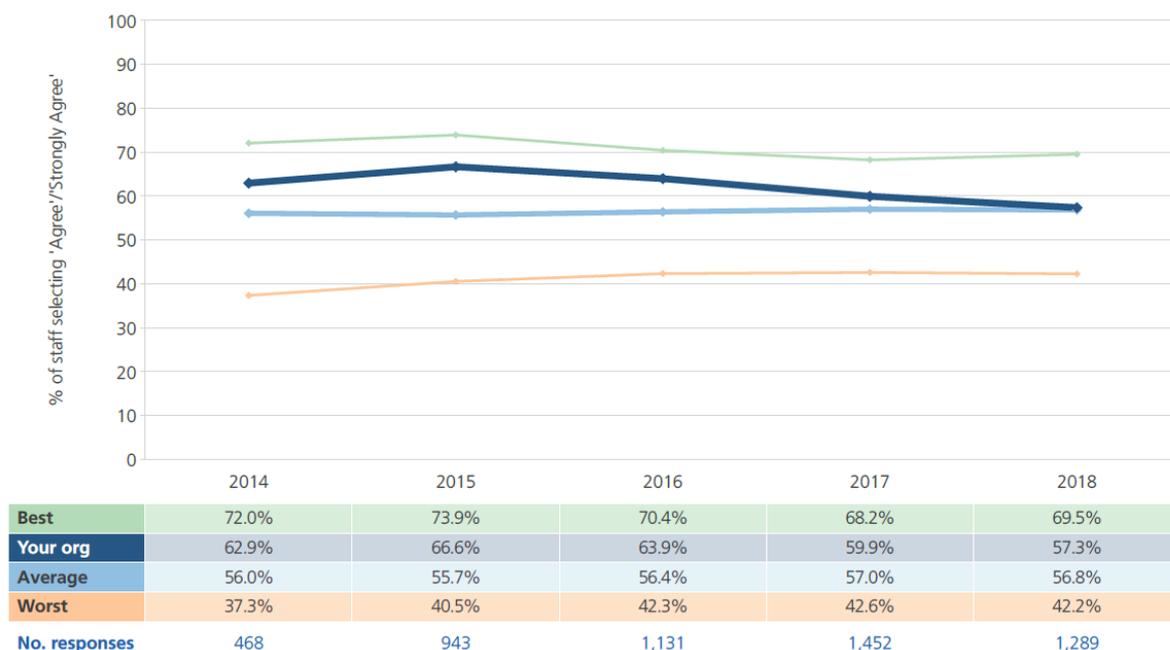
Since the beginning of the FTSU programme some serious concerns have been raised, but it is vital that the FTSUG is used effectively and appropriately, in line with national guidance and expectations of the role and is not here to police investigations. Further communication and education for staff and managers is required around this aspect of the role.

All concerns have been followed up and feedback provided to the individual staff members. Of the concerns raised in 2018/19, 7 remain open, with investigations in progress.

- 4.3 The National Guardian’s Office has published the 2017/18 Annual Report which shows that 7087 cases were raised nationally, 45% of which include an element of bullying and harassment, 37% included an element of patient safety and 5% include perceived detriment. The report is available at: [https://www.cqc.org.uk/sites/default/files/CCS119\\_CCS0718215408-001\\_NGO%20Annual%20Report%202018\\_WEB\\_Accessible-2.pdf](https://www.cqc.org.uk/sites/default/files/CCS119_CCS0718215408-001_NGO%20Annual%20Report%202018_WEB_Accessible-2.pdf)

The 2018 Staff Survey for SFT shows that there has been a significant increase in bullying and harassment and over the past 12 months, and steady decline from 2015 with regards to staff feeling secure in raising concerns about unsafe clinical practice and a steady decline in confidence that the organisation would address concerns raised. This is an area of particular focus in the Forward Plan.





4.5 Board Self-Assessment Tool will be sent to Board Members for completion in May 2019. Completing the self-review tool and developing an improvement action plan will help Trusts to evidence their commitment to embedding speaking up and oversight bodies to evaluate how healthy the Trust’s speaking up culture is.

## 5 Summary

5.1 All organisations which regulate or provide NHS healthcare should implement the principles and actions set out in the Freedom to Speak Up (FTSU) report: This paper provides the Committee with examples of best employment practice for FTSUG across the NHS, with the intention that Salisbury NHS Foundation Trust adopts a similar approach.

## 6 Recommendations

6.1 The Board is asked to note the report.

**Elizabeth Spicer**  
Freedom to Speak Up Guardian

**Freedom to Speak Up Guardian Survey 2018  
Findings and Recommendations Gap Analysis**

	Area	Recommendation	How SFT Meet the Recommendation
1.	Appointment	We recommend that appointment of guardians is made in a fair and open way, and that senior leaders assure themselves that workers throughout their organisation have confidence in the integrity and independence of the appointee(s).	Full time FTSUG appointed through the formal process, in a fair and open way.
2.	Training	We recommend that FTSUG undertake refresher training provided by the National Guardian’s Office or guardians trained by the National Office to provide this training every 12 months. We recommend that all FTSUG regularly assess their training and developmental needs using the NGO Education and Training Guide and that their employers support them by providing the resources needed to enable them to continually develop their skills, knowledge and abilities.	<p>FTSUG due for refresher training in Spring 2019. . FTSUG to complete NGO Training Guide with appropriate support.</p> <p>Training for FTSUG includes:</p> <p>CEO arranged for FTSUG to trial a pilot supervision scheme with the London FTSUG network for 12 months to share best practice.</p> <p>Annual FTSU conference</p> <p>FTSU Ambassadors are required to attend the same training when appointed.</p>
3.	Local networks	We recommend that regional FTSUG networks seek local opportunities to enable all guardians to learn and improve, including sharing skills and knowledge amongst peers and seeking the support of local partners and ensure their organisation is represented at every regional meeting by a Guardian or Ambassador.	<p>FTSUG attends regional network meetings regularly and seeks peer support.</p> <p>Ambassador posts have not been recruited to yet.</p> <p>SDH to host regional meeting in 2019</p>
4.	Conflict	We recommend that those in a speaking up role make an assessment of the possible conflicts that any other role that they have may bring.	FTSUG is full time therefore no conflict of interest
5.	Diversity	We recommend that a local assessment is made by FTSUG of any groups that face particular barriers to	Established Trust Equality Champions network, needs strengthening with further promotion.

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		speaking up and take action to ensure that those barriers are tackled. Where a local FTSU network is established, action should be taken to ensure that it reflects the diversity of the workforce that it supports.	Bi-monthly meetings as from 2018 led by Head of Equality, Diversity and Inclusion. FTSU Ambassadors to be recruited by 31/03/2019
6.	Ring fenced time	We recommend that all organisations with a FTSUG make a full and honest assessment of the time required by a guardian to carry out their role and meets the needs of workers. All guardians must have the ring-fenced time to satisfy this basic requirement.	This requirement is fully met as FTSUG is full time.
7.	Feedback	We recommend that all organisations review their mechanisms for seeking feedback on cases raised to FTSUG, take action to ensure that these are compliant with NGO guidance and ensure that sufficient time is allocated to ensure that this essential activity is undertaken.	Feedback is requested on all cases. Approximately 30% response.
8.	Access to senior leadership	We recommend that all guardians have direct and regular access to their CEO and non-executive director with the responsibility for speaking up.	Monthly meetings with CEO. Bi-annual meetings with Non-Executive Director .
9.	Board reporting	We recommend that FTSUG report to their Board in person, and are allocated sufficient time to ensure this is done.	Quarterly reporting to Workforce Committee.

Updated: April 2019