



Moorfields
Eye Hospital
NHS Foundation Trust



Agenda item 9

Q3 Freedom to speak up report

Board of directors

21 March 2023



Report title	Q3 Freedom to Speak Up report (1 October to 31 December 2022)
Report from	Ian Tombleson, Lead Freedom to Speak Up Guardian
Prepared by	Ian Tombleson, Lead Freedom to Speak Up Guardian and the Guardian team
Link to strategic objectives	Working together - we will collaborate with one another as individuals, in our teams, with our patients and our partners

<p>Executive summary</p> <p>This is a Q3 report from the Freedom to Speak Up (FTSU) Guardians covering the period 1 October to 31 December 2022.</p> <p>The report provides assurance to the Board that FTSU Guardians are providing a service in line with promoting an open and safe culture in which to speak up and this also meets the expectations of National Guardian’s Office requirements. FTSU Guardians continue to make themselves accessible for staff to raise concerns. The number of concerns raised, and the broad themes are set out in this report.</p>							
<p>Quality implications</p> <p>Management support, particularly line-management, with guidance, is primary in supporting the day to day working culture and ensuring there is a safe space for staff to raise issues and concerns.</p> <p>The Trust’s approach to developing and supporting the work of the FTSU Guardians is also an important element of providing a supportive and open culture, particularly in improvement areas indicated by the staff survey. If staff feel that they are supported in raising concerns in a safe environment and that their concerns are acted on, then this will have a positive impact on patient safety and staff well-being and improve the Trust’s ability to learn lessons from incidents and support good practice. The Trust Board provides leadership and support to enable an open and transparent culture.</p>							
<p>Financial implications</p> <p>There are no direct financial implications arising from this paper.</p>							
<p>Risk implications</p> <p>Organisations should have a culture where staff feel able to voice their concerns safely. Not having this culture can create potential impacts on patient safety, clinical effectiveness and patient and staff experience, as well as possible reputational risks and regulatory impact.</p>							
<p>Action Required/Recommendation</p> <p>This paper is provided to the Board for assurance. The Board is asked to:</p> <ul style="list-style-type: none"> • Discuss and note the content of the paper. 							
For assurance	✓	For decision		For discussion	✓	To note	

1. The Guardian Service at Moorfields

FTSU was a recommendation of the Freedom to Speak Up review by Sir Robert Francis that was published in 2015 and the role of Guardians continues to mature across the NHS. He recommended that FTSU Guardians act in an independent capacity and support staff to raise concerns. All NHS trusts have a FTSU service which is operated within the broad framework laid down by the National Guardian's office (NGO). Guardians promote a culture in which staff feel safe to raise concerns in the workplace. There is a National Guardian, Dr Jayne Chidgey-Clark, previously a Guardian herself in an NHS organisation.

FTSU has a much broader definition than the previous term 'whistleblowing' which was often only used in the most extreme circumstances and was viewed negatively. Over the years since its inception FTSU continues to broaden its support service and runs alongside other support services within organisations. FTSU is viewed as way to provide additional support to staff and managers to resolve concerns informally, quickly and confidentially. It provides a set of flexible arrangements to get the best outcomes for staff and management working alongside other relevant polices.

FTSU runs complementary to encouraging a broad speaking up culture where staff feel free to raise concerns as they go about their day-to-day business. Speaking up should be business as usual rather than something that is a unique environment provided by the Guardians. However, if the Guardians are needed by staff, they should be accessible, readily available and responsive.

In policy terms Moorfields (like other NHS organisations) follows the national freedom to speak up policy which provides a framework rather than a specific model for FTSU. The national policy has been updated recently reflecting further maturing and progress of the service. It has moved even further from the concept of whistleblowing and more to one of promoting an open culture of speaking up in all parts of an organisation. Trusts are being encouraged to adopt (or follow very closely) the national policy and Moorfields will follow this.

Moorfields has a network Guardians model to serve its network. This is an adaptation to meet the needs of our network organisation. It is diverse both in terms of its ethnic composition, and geographical and professional spread. The Guardians report through to the Chief Executive and a quarterly report is produced for the Trust Board.

The five Guardians are:

- Dr Ali Abbas, consultant ophthalmologist, Moorfields North
- Derek Scott, health records manager, City Road/Trust-wide
- Amita Sharma, infection control lead nurse, City Road/Trust-wide
- Julie Smythe, ECLo, Moorfields South
- Ian Tomblison, director of quality and safety (lead guardian), Trust-wide.

If individuals are not happy to raise concerns via the Guardians, or their concern is about the Guardians themselves, or is at a Trust Board level, these can be raised independently with Adrian Morris, non-executive director. All the Guardians have received training from the National Guardian's Office.

Examples of potential FTSU concerns in the policy include, but are by no means restricted to:

- Unsafe patient care
- Lack of, or poor, response to a reported patient safety incident
- Unsafe working conditions
- Suspicion of fraud
- Possible criminal offence
- Negative staff morale
- Abuse, bullying or harassment
- Health and well-being of staff.

2. Guardian accessibility and initiatives

Visibility and accessibility of the Guardians is key for use of the service. We have an EyeQ page and lock screens are used displaying the Guardians across the organisation. Staff comment that they notice these screens and recognise the Guardians. However, the best way of creating visibility is through network site visits and these have become an established part of the Guardian function. As well as promoting the role of Guardians, engagement across the network

enables Guardians to keep in touch with staff lived experiences. The Guardians have a 24/7 confidential email box which supports accessibility and is well used.

The FTSU Guardians service at Moorfields aims to be proactive through a regular programme of site visits. FTSU team engages with staff and distributes cards describing what they do and how to contact the Guardians. This is part of supporting an open culture and particularly promoting a connection with staff from ward to board.

October was national FTSU month with increased activity from the Guardians. Over Q3 there were 16 site visits across the network and City Road including the majority of large sites. Guardians have a forward rolling plan of visits during 2022/23.

Typically visits include speaking to staff about how they are feeling, making them aware of how to raise concerns more broadly through their management line, and also to make them aware of the FTSU role and what additional support can be provided. This helps staff feel relaxed and makes them aware that they could raise concerns to the FTSU Guardians in a confidential way. Following visits, anonymised reports are sent to the relevant management team providing them with the issues that were raised and staff perspectives. We notice that staff speak freely in this environment as they have the confidence that information is collected in a safe space and is non-attributable. If specific concerns are raised these are actioned as required. Each case is treated on its own merits and the Guardians need to make a judgement each time as to how best to resolve concerns whilst maintaining confidentiality.

Moorfields Guardians form a proactive part of the London Regional network and attend regular on-line sessions. This network is useful to review practice and to share on-going challenges between services. It is sometimes attended by the National Guardian's Office team to provide feedback and explain about policy direction and change.

National initiatives for FTSU include promoting awareness with Boards and within trusts about the Guardians service.

3. Board oversight

Guardians have regular sessions with the Chair and Chief Executive to discuss how the process is functioning, key themes and how issues and concerns are being resolved. The Director of Workforce is also present during these sessions. Adrian Morris, as a non-executive director, provides independent oversight and support for the Guardians. The Board receives quarterly reports from the Guardians and an Annual Report at the end of each year (the FTSU year runs October to September).

This report provides assurance that FTSU Guardians are in place, that they are independent, that their accessibility is promoted, and that staff are able to raise concerns. FTSU is part of the trust's culture to support and promote an environment where staff feel safe and confident to speak up. It also highlights areas where there are opportunities to improve the service. The number of concerns raised and the broad themes that have been raised are set out in section 3.

4. Concerns raised 1 October to 31 December 2022 (Q3)

During Q3, 41 concerns were raised, and this was the number submitted in the quarterly return to the NGO. These numbers (in total) represent a substantial increase compared to Q2 and the highest of the previous five quarters.

Quarter	Q3 (2021/22)	Q4	Q1 (2022/23)	Q2	Q3
Concerns raised	17	24	32	16	41

Although numbers are relatively small this is encouraging due to the wide efforts of the organisations and the Guardians to promote a speaking up culture. However, numbers do vary considerably quarter by quarter and by the time of year, and it is important not to over ascribe to variation or swings in numbers.

Q3 concerns are set out below. Sometimes multiple concerns are raised shown in the data as primary and secondary concerns, the primary concern being the most significant.

Theme	Primary	Secondary
Culture/Behaviour ¹	3	6
Process ²	15	3
Training	0	0
Patient safety/quality/risk ³	6	7
Staff safety/well-being ⁴	17	2
Total	41	18

1 = definition includes a range of behaviours from poor management visibility, poor communication, putting staff under undue pressure, potential bullying and harassment and poor working culture

2 = definition includes issues around what process is required or whether a specific process has been followed

3 = definition includes a very wide range of issues from potential concerns about specific harm to patients, to service quality, to poor customer care.

4 = Staff safety and staff well-being impact.

It is important to note that no serious patient safety concerns have been raised where death or serious harm have occurred or were about to be caused directly or indirectly to patients.

Staff safety and well-being, and culture and behaviour combined are the largest numbers in the issues raised which is consistent with previous quarters and indeed the patterns over the year.

A more detailed report on the concerns raised is available to the Board in its private meeting. Concerns show a good distribution across the network and from different professional groups and across a wide range of issues.

5. External review of Freedom to Speak Up arrangements

Building on the outcomes of the Trust's self-assessment of FTSU, Moorfields has undertaken an external third-party review of its FTSU arrangements by the Liverpool Heart and Chest Hospital team. They are a Trust with an 'outstanding' CQC rating and have strong FTSU arrangements. They have undertaken several of these reviews for other Trusts. The review found a number of strengths in the current voluntary service. They also found a number of areas to build on and improve. An action plan has been produced by the Management Executive. The plan includes a review of the current FTSU structure and the available resources, strengthening training for managers, updating the FTSU policy and supporting processes, and also the development of a communications plan. We are currently inviting staff to join focus groups to help shape the FTSU structure going forwards. Responding to the 'should do' actions set out in the CQC's report of November 2022, a pilot of the FTSU champions is being run within City Road theatres to support their speaking up arrangements.

The revised FTSU arrangements have oversight and support from the Trust's People and Culture. The next quarterly FTSU report will report progress with the review.

6. Conclusions and learning

Q3 2022/23 has shown increased activity compared to previous recent quarters. This could be positive in that staff feel more able to raise concerns. The data and information from this report is being used to understand how FTSU is contributing to improving our culture of speaking up and openness which is a further component of the action plan following the external review.

The Board is asked to note that the FTSU Guardians are in place and are accessible to staff. They function independently in line with requirements from the National Guardian's Office. Guardians continue to promote their role and speaking up generally mostly through face-to-face engagements with local teams.

There are processes in place to resolve concerns as they arise, for example feedback to management on the issues raised. Guardians ensure they follow up concerns with management and staff to receive assurance that issues are fully resolved. There is an independent Non-Executive Director available if staff wish to approach them directly, or the concern is at a Board or senior level in the organisation.

As well as regular catch ups with the Chair and Chief Executive, the Guardians have direct access to the Chief Executive should this be required.

Ian Tombleson

Lead Freedom to Speak Up Guardian