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Agenda item 11

Q1 Freedom to speak up report

Board of directors

22 September 2022

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| **Report title** | Q1 Freedom to Speak Up report (1 April to 30 June 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** | We will have an infrastructure and culture that supports innovationWe will attract, retain and develop great peopleWe will pioneer patient-centred care with exceptional clinical outcomes and excellent patient experience |

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| **Executive summary**This paper provides a Q1 report from the Freedom to Speak Up (FTSU) Guardians covering the period 1 April to 30 June 2022.This 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. |
| **Quality implications**The Trust’s approach to developing and supporting the work of the FTSU Guardians is an important element of providing a supportive and open culture and supporting improvements indicated in 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. |
| **Financial implications**There are no direct financial implications arising from this paper.  |
| **Risk implications**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.  |
| **Action Required/Recommendation**This paper is provided to the Board for assurance. The Board is asked to:* Discuss and note the content of the paper.
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| **For assurance** | **✓** | **For decision** |  | **For discussion** | **✓** | **To note** |  |

1. **Background to the Guardian Service**

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. Guardians promote a culture in which staff feel safe to raise concerns from ward to Board.

There is a National Guardian, Dr Jayne Chidgey-Clark, previously a Guardian herself in an NHS organisation. She has recently been appointed and is travelling round different parts of the country to promote FTSU. Her input can already be felt in promoting training, standardising policy and simplifying data recording.

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 to resolve concerns informally and quickly. It provides a set of flexible arrangements to get the best outcomes for staff and management and works 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 of the Guardians. However, if we are needed by staff we 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 very recently reflecting further maturing and progress of the service. It has moved even further from the concept of whistle blowing and more to one of promoting an open culture of speaking up in all parts of an organisation. Moorfields, as with many other NHS trusts has been awaiting the update of the policy – trusts are being encouraged to adopt (or follow very closely) the national policy and Moorfields will follow this line.

Moorfields has a network Guardians model to serve its network. This is an adaption 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, City Road and Moorfields South
* 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 Tombleson, director of quality and safety (lead guardian), Trust-wide.

We continue to seek specific support for a Guardian from Moorfields North (we previously had a Guardian from the North). 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.
1. **Guardian accessibility and initiatives**

As has been made clear in previous reports, visibility of the Guardians is key to accessibility and use of the service. We have an eyeQ page and lock screens are used displaying us across the organisation. Staff comment that they do 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 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. It is estimated that 75% of concerns raised this quarter are due to proactive awareness and visibility of the Guardians at site visits.

Two key phrases the Guardians use when promoting their role are:

 ‘Everyone should feel able to speak up’ and;

 ‘Let’s make ‘speaking up’ business as usual’.

There were ten site visits across the network and City Road during Q1. 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 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.

As mentioned in the previous report Moorfields is reviewing its FTSU service. Part of this review includes using a new self-assessment introduced by the NGO. This review is being led by the lead Guardian and the results will be fedback to the Board.

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. Moorfields self-assessment will include this.

October is FTSU month. This is a national initiative (although not all trusts choose October). This is a great opportunity to raise awareness of the Guardians and the culture of speaking up. More network sites and departments in City Road will be visited. With the support of the communications team extra promotion and visibility of Guardians will take place. The Guardians will provide as many examples as they can (without breaching confidences) of how when staff have spoken up they have been able to support and make a difference and bring quick resolution to the issues raised.

**Board oversight**

Guardians have regular sessions with the Chair and Chief Executive to discuss how the process is functioning, activities and key themes. 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.

1. **Concerns raised 1 April to 30 June 2022/23 (Q1)**

During Q1, 31 concerns were raised. These numbers (in total) represent a 29% increase compared to Q4 of the previous year (24 concerns were raised). Although numbers are relatively small this is encouraging due to the wide efforts and management and the Guardians to promote a speaking up culture.

The concerns are set out below. Sometimes multiple concerns are raised shown in the data as primary and secondary concerns.

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| --- | --- | --- |
| **Theme** | **Primary** | **Secondary** |
| **Culture/Behaviour 1** | 9 | 11 |
| **Process2** | 5 | 4 |
| **Training** | 0 | 0 |
| **Patient safety/quality/risk3** | 2 | 0 |
| **Staff safety/well-being**4 | 15 | 5 |
| **Total** | **31** | **20** |

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.

Safe safety and well-being, and culture and behaviour dominate the issues raised.

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. A more detailed analysis will be available when the Annual Report is produced for the November trust board.

1. **Conclusions and learning**

Q1 2022/23 has shown consistent an increased activity compared to previous recent quarters which is encouraging. More detailed data analysis will be available in November’s Annual Report. 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.

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 ensure that issues and 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.

The Chair and Chief Executive have regular confidential conversations with FTSU Guardians to keep them informed about activity and themes to support resolution of issues and to provide additional support to the Guardians as required.

**Ian Tombleson**

**Lead Freedom to Speak Up Guardian**