



CATEGORY OF PAPER					
Specific action required:	✓	Provides Assurance:	✓	For Information:	

Board of Directors – 25/10/2018						
Report title:	Freedom to Speak Up Update					
Purpose of report:	To provide the Board of Directors with an overview of Freedom to Speak Up activity in the first two quarters of 2018/19.					
Key issues: <i>(key points of the paper, how this supports the achievement of the Trust's corporate objectives, overview of risk implications, main risk details on page 2)</i>	<p>Year to-date there have been 2 cases which both relate to staff behaviour. The Freedom to Speak Up data has been triangulated with key HR data and no consistent themes and trends have been identified.</p> <p>At its September 2018 meeting, the Workforce Committee approved the Trust's Freedom to Speak Up Vision and Strategy. This has been now been launched and is available on QPulse and the intranet.</p> <p>At the Board development session in October 2018, the Board debated and approved the outcome of the Freedom to Speak Up self-assessment. The Workforce Committee will monitor the action plan with the aim of achieving full compliance by 31 March 2019.</p>					
Issue previously considered by:	-					
Recommended actions:	<p>The Board is requested to:</p> <ul style="list-style-type: none"> - Note the ongoing caseload and the actions being taken to investigate concerns, identify and share learnings. - Note the activity of the Freedom to Speak Up Guardian over the first six months of the year. - Support the Freedom to Speak Up Guardian in championing Freedom to Speak Up across the Trust. - Seek assurance from Workforce Committee colleagues and the Guardian regarding the implementation of the actions arising from the self-assessment. 					
Sponsor / approving director:	Joanne Baxter, Director of Quality and Safety / Freedom to Speak Up Executive Lead					
Report author:	Jennifer Boyle, Trust Secretary					
Governance and assurance						
Link to Trust Priorities: <i>(please tick)</i>	Organisational Sustainability	Improving Quality & Safety	Workforce & Investors in People	Clinical Care & Transport	NHS 111 & Clinical Assessment Service	Comms & Engagement
	✓	✓	✓			✓
Link to CQC / KLOE: <i>(please tick)</i>	Caring		Responsive	Effective	Well Led	Safe
					✓	
Link to Trust values: <i>(please tick)</i>	Pride	Strive for excellence	Respect	Compassion	Take responsibility & be accountable	Make a difference – day in & day out
	✓	✓	✓	✓	✓	✓
<i>(Please explain how this paper supports the application of the Trust's values in practice)</i>	Ensuring that staff feel able to raise concerns which will be investigated appropriately is an important part of developing the Trust's culture. Each of the values links to this issue as it enables staff to feel that they are able to make a					

	difference and deliver high quality work which ultimately results in better patient care.		
Any relevant legal / statutory issues? <i>(Such as relevant acts, regulations, national guidelines or constitutional issues to consider)</i>	The Freedom to Speak Up Guardian role is nationally mandated and now features as part of the Well-Led domain assessed by CQC.		
Equality analysis completed If this is not relevant please explain why:	Yes	No	Not Relevant
		✓	
	This is not a new policy or a new service, but assurance is provided that the Freedom to Speak Up Guardian seeks to engage with staff with protected characteristics and ensure that FTSU is an inclusive process.		
Key considerations	Details		
Confirm whether any risks that have been identified have been recognized on a risk register and provide the reference number:	Risk CEO05 on the CEO Directorate risk register is centred on the continued promotion of Freedom to Speak Up.		
Please specify any Financial Implications Please explain whether there are any associated efficiency savings or increased productivity opportunities?	None.		
Are any additional resources required e.g. staff capacity?	Time commitment from the Guardian and other key individuals involved in Freedom to Speak Up.		
Is there any current or expected impact on patient outcomes/experience/quality?	Ultimately there should be a positive impact on patient experience and quality if staff feel that they can raise issues of concern through this mechanism.		
Specify whether appropriate clinical and/or stakeholder engagement has been undertaken: <i>(stakeholders could include staff, other Trust departments, providers, CCGs, patients, carers or the general public)</i>	Engagement with different staff groups has been undertaken and another round of face-to-face promotion is planned for the coming weeks.		
Are there any aspects of this paper which need to be communicated to our stakeholders (internal or external)? <i>(Please tick – if 'yes' then please complete all boxes. Please briefly specify the key points for communication and ensure the Comms team are informed via mailto:publicrelations@neas.nhs.uk)</i>	Yes	No	Positive
	✓		✓
	Proactive	Reactive	Internal
	✓		✓
	Staff need to be assured that they can raise concerns which are then appropriately investigated.		

Board of Directors

Freedom to Speak Up Update – Quarters 1 & 2 2018/19

25 October 2018

1. Introduction

- 1.1. The role of the Board in relation to Freedom to Speak Up is key. It is the expectation of the National Guardian’s Office, CQC and NHS Improvement that senior leaders are knowledgeable on Freedom to Speak Up matters and work in partnership with the Freedom to Speak Up Guardian to actively shape the speaking up culture.
- 1.2. The Board receives formal updates twice a year as part of its cycle of business, with more regular updates being provided to the Workforce Committee. The Workforce Committee oversees the Trust’s Freedom to Speak Up activity, including themes, trends, learnings and outcomes. The Committee also seeks assurance that the Trust has developed a culture in which staff feel safe and able to raise concerns.
- 1.3. This report provides the Board with an overview of the Freedom to Speak Up activity for the year to-date.

2. Case volume, themes and trends

- 2.1. The number of Freedom to Speak Up cases occurring between 1 April 2018 and 30 September 2018 was 2. This is broadly consistent with the case volume experienced in the last 12 months.

	Cases raised anonymously or from outside the Trust	Cases raising concerns about patient safety	Cases raising about staff behaviour or well-being	Other instances of staff approaching the Freedom to Speak Up Guardian and signposted to most appropriate team / person to support them
Number of cases (2 in total)	1	0	2	2

- 2.2. Neither of the two concerns raised relate directly to patient safety and are primarily around the behaviours of staff, both individually (i.e. in compliance with policies) and in relation to the treatment of others. Both cases are from separate services and geographical locations.
- 2.3. The scope of one of these cases is broad and includes a number of different components. As such we commissioned external support to independently investigate the concerns raised.
- 2.4. Both cases are still currently being investigated.
- 2.5. The Freedom to Speak Up Guardian continues to be contacted by staff about matters which do not fall within the remit of Freedom to Speak Up. This enables the Guardian to appropriately signpost staff to where they can seek further help and advice. Whilst these instances are not counted in the total case volume, it is evidence that the profile of the Guardian and Freedom to Speak Up is increasing. This signposting role in itself is important.
- 2.6. There are no clear themes and trends emerging from the cases which have arisen in 2018/19 and they also do not correlate with the cases addressed in 2017/18. The FTSU Guardian has triangulated the data with key HR data such as grievances and disciplinary statistics. There are no consistent themes, either in terms of subject matter or geographical location. The Guardian will continue to work closely with the Head of HR to review key data and identify themes.

2.7. The importance of learning from Freedom to Speak Up cases cannot be underestimated. Improvements made following previous cases include:

- The introduction of a NEAS07 panel for incidents reported by staff when they are concerned that they have been asked to attend a case which does not match their skill set (primarily 999 cases allocated to Scheduled Care).
- A clearer scope of practice for Band 2 Scheduled Care staff.
- Improved protocols for referring 999 cases to Scheduled Care, for example cases can now only be allocated to Scheduled Care by a clinician.
- Establishment of a Freedom to Speak Up panel to ensure upfront HR, clinical and operational input when determining the most appropriate approach for investigating incoming concerns.

3. Freedom to Speak Up Board Self-Assessment

3.1. The populated self-assessment produced by NHS Improvement and the National Guardian's Office was discussed at the recent Board development session in early October 2018.

3.2. The self-assessment had been populated with support from the Executive and Non-Executive Freedom to Speak Up leads, the Guardian and John Marshall (Non-Executive Director member of the Workforce Committee) prior to review by the Workforce Committee and then subsequently the Board of Directors (as part of the development session).

3.3. The Board approved the content of the self-assessment and agreed that the Workforce Committee will take the lead role in monitoring the completion of the resulting action plan.

3.4. Key actions identified from the self-assessment include:

- A need to increase the focus on learning from Freedom to Speak Up and sharing the learning with the Board, Workforce Committee and broader organisation.
- Continue to develop the Just Culture in accordance with the NHS Improvement toolkit.
- Develop and seek approval for a Freedom to Speak Up vision and strategy (action now completed).
- Ensuring that feedback from senior leader visits to staff (e.g. as part of Quality walkrounds) is shared with the relevant staff.
- Continue to positively promote FTSU through face-to-face and written communications. The Guardian, Executive and Non-Executive Leads are key to this.
- Ensure that the Guardian incorporates a discussion on FTSU into her regular meetings with the Chair.
- Undertake targeted promotion of FTSU with volunteers and students.
- Incorporate FTSU into the 2019/20 internal audit plan.
- Ensure that case reviews undertaken by the National Guardian's Office are formally reported to the Workforce Committee alongside an assessment of implications for NEAS.

3.5. These key actions will be undertaken with a view to achieving compliance with all elements of the assessment by 31 March 2019.

4. Freedom to Speak Up Vision and Strategy

- 4.1. The Workforce Committee approved the Trust's Freedom to Speak Up Vision and Strategy at its last meeting in September 2018.
- 4.2. The vision and strategy is now available for staff to access on QPulse, the intranet and the Trust's website. It will be promoted in the Summary as part of Freedom to Speak Up Awareness Month (October).

5. Other Freedom to Speak Up activity

- 5.1. The FTSU Guardian has continued to engage with the National Ambulance Network for FTSU Guardians. This included attending a meeting at Yorkshire Ambulance Service, which was also attended by the National Guardian Dr Henrietta Hughes. The Guardian will be attending the next meeting which is hosted by South East Coast Ambulance Service on 26 November 2018.
- 5.2. The FTSU Guardian also recently attended a North East and Cumbria regional meeting in Carlisle on 5 October. Dr Henrietta Hughes was also in attendance.
- 5.3. The Executive Lead for FTSU, the Director of Quality and Safety, participated in a recent webinar on FTSU which focussed on the new guidance for Boards. Following this, the Executive Lead met with the Guardian and it was agreed that the following actions would be taken:
 - Add photographs to the FTSU page of the FTSU champions, the Executive and Non-Executive Leads.
 - Add FTSU to the carousel on the intranet.
 - FTSU to be a standing item on the Workforce Committee agenda, as well as the 6 monthly Board report.
 - The reports will include the number of cases for patients safety/numbers of cases relating to staff welfare, numbers signposted, learning, actions taken and sharing that learning.
 - Investigate the use of the Ulysses module for FTSU recording and tracking.
- 5.4. The Trust is participating in a research and development study run by the University of Leicester. The study, *Building a culture of openness across the healthcare system: From transparency through learning to improvement*, includes a focus on how the Freedom to Speak Up concept is working across the study sites. Findings will be shared with the Committee once they are made available.
- 5.5. As part of Freedom to Speak Up Awareness Month a number of actions have been taken:
 - Weekly features in the Summary staff news bulletin. This has included a call for further champions with two expressions of interest received so far.
 - The refresh and relaunch of the Trust's intranet page for Freedom to Speak Up. This now includes key learnings to demonstrate to staff that action has been taken in response to previous concerns raised.
 - The launch of the vision and strategy, as previously referenced.
- 5.6. The Trust has been shortlisted for a Health Service Journal award in the Creating a Supportive Staff Culture category. The award is sponsored by the National Guardian's Office and Freedom to Speak Up was one of the items included in the award entry statement. The winner will be announced on 21 November 2018.

6. Recommendations

- 6.1. The Board is requested to:
 - Note the ongoing caseload and the actions being taken to investigate concerns, identify and share learnings.
 - Note the activity of the Freedom to Speak Up Guardian over the first six months of the year.

- Support the Freedom to Speak Up Guardian in championing Freedom to Speak Up across the Trust.
- Seeking assurance from Workforce Committee colleagues and the Guardian regarding the implementation of the actions arising from the self-assessment.