

**REPORT TO THE TRUST BOARD – PUBLIC
14 DECEMBER 2017**

Title	Freedom To Speak Up Guardian Report
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Purpose of the Report:

To inform the Trust Board of the progress of Freedom To Speak Up since its implementation. To highlight progress and challenges.

Summary of Key Issues:

- The Freedom to Speak Up Guardian started on 16th October 2017 and the role is 0.5 WTE.
- There is on-going work with the communications team to give more awareness and visibility to the role.
- A review process has started with HR to review the Trust policy to ensure it is based on the national policy 'Freedom to Speak up: raising concerns (whistleblowing) policy'.
- There is an established London region network meeting which hold bi-monthly to provide support amongst Guardians. The next one is the 6th December 2017.
- Interviews for Freedom to Speak Up ambassadors will commence January 2018.

Actions:

- To consider the recommendations as presented in the paper.

Strategic priorities this paper supports (Please check box including brief statement)

Improving service user satisfaction	<input checked="" type="checkbox"/>	The implementation of the Guardian's role impact on the Trust three key objectives.
Improving staff satisfaction	<input checked="" type="checkbox"/>	
Maintaining financial viability	<input checked="" type="checkbox"/>	

Committees/Meetings where this item has been considered:

Date	Committee/Meeting
	The process to launch the Guardian role has been developed with the Trust board. Date not known.

Implications:

Equality Analysis	The equality impact screening tool needs to be completed.
Risk and Assurance	To provide assurance that the Trust are compliant in their duty of care by ensuring there is Guardian with whom staff can access to speak up. Any risk will be identified challenge section of this report.
Service User/Carer/Staff	This paper provides assurance to service users, carers and staff that the Trust has a Guardian in place and this is a national requirement.
Financial	There are financial implications associated with the Guardian role.
Quality	The information / actions / recommendations further enhance the quality of assurances.

1.0 Introduction and Background

- 1.1 Following an independent Freedom to Speak Up review in February 2015, Sir Robert Francis raised the importance of creating an open and honest reporting culture in the NHS. The recommendations from Sir Robert Francis report enforced the NHS Contract 2016/2017 should ensure that there is a national Guardian for the NHS and that all NHS Trust should have an appointed Freedom to Speak up Guardian (FTSUG) by October 2016.
- 1.2 Whilst making arrangements for the Guardian's role the Trust continued to utilise existing sources of support within HR and non-executive member to support the role. The Trust appointed a Freedom to Speak Up Guardian who commenced in the role 16th October 2017.
- 1.3 The Trust's Freedom to Speak Up Guardian is guided and advised by the National Guardian's office (NGO) as per the Freedom to Speak Up Review (2015) and The Department of Health. In addition, Regional FTSU groups have been formed to share and learn with a member from the National Guardian's Office appointed to each region.

2.0 Role of the Guardian

- 2.1 The role of the Freedom to Speak up Guardian is to ensure there is a robust system in place for staff to flag up concern, report risks and mistakes as they occur and ensure there learning from these concerns becomes the norm.
- 2.2 Francis report recommended that it was key to have a Guardian in place who has lead responsibility for dealing with concerns raised, who will work with the Trust to ensure that appropriate policies and processes are in place and working, and that staff are appropriately supported and listened to and that issue are dealt with in a timely and professional way.
- 2.3 The role of the FTSUG is to acts as a point of contact for all staff employed by the Trust who wishes to report serious issues or concerns, and provide support, advice and guidance to ensure appropriate investigation. The FTSUG provides support, independence and freedom from bias.
- 2.4 Staff are encouraged to raise concern that may relate to patient safety, quality or perceived wrongdoing, including unacceptable behaviour. All staff have a duty to report to report concern, however, not all staff feel confident in raising concerns. The role of the FTSUG is to support staff to speak up even when they have no proof or worry that their concern appears insignificant. Staff should feel that their concerns will be listened to and acted upon as necessary and that they will not experience any detriment for having raised their concern.
- 2.5 The FTSU Guardian is also available to all staff group such as student, trainee healthcare professionals, locums, agency and bank staff.
- 2.6 The FTSU Guardian has the authority to engage directly with the Chief Executive, the Trust Board, clinical and line management and if required, the external independent National Officer (National FTSUG).
- 2.7 The Guardian is now speaking about this role at Trust induction and being invited to speak to other staff groups.

- 2.8 The FTSUG has now developed a recording system to capture the information necessary for future reporting which will include what the Trust is doing to address any problems raised.
- 2.9 Since starting in the role, the focus has been on raising the profile of the role but this has been limiting due to limited hours in the role. The following activities have been delivered and are ongoing:
- Articles in Staff intranet
 - Presentation at departmental meetings – by invitation
 - Presentation at study days – by invitation
 - Workshop at monthly preceptorship programme - planned
 - Presentation at Trust induction (all sites)
 - Developing flyers and poster with communications team
 - Attending Trust events
 - On-going development of networks nationally and regionally
 - On-going conversations with prospective FTSUG in other trusts re role, expectations, challenges, time, record keeping, etc.
- 2.10 The FTSUG is working closely with the communications team to raise the profile of the role of the FTSUG. Therefore, the number of concerns raised directly with managers, staff side and those raised directly to FTSUG may increase due to this publicity.

3.0 Q2 Data request by National Guardian Office

- 3.1 The National Guardian's office (NGO) request for data re: cases that came to your Freedom to Speak Up Guardian during the second quarter of this year was submitted in November 2017. The results were published on 23 November 2017.
- 3.2 Data was requested about the following:
- Number of cases raised
 - Number of issues raised anonymously
 - Number of cases with an element of patient safety/quality
 - Number of cases related to behaviours, including bullying/harassment
 - Number of cases where people indicate that they are suffering detriment as a result of speaking up
- 3.3 The NGO is likely to routinely request a number of the items so that it can properly oversee the work done by the FTSUG. Although it has not been requested as part of this Q2 data reporting, the NGO advises Guardians to collect additional information as below:
- Outside referral
 - Open / closed
 - Feedback
 - Demographics and other characteristics of people who are speaking up
- 3.4 As part of the audit process, the National Guardian Office may visit the Trust to independently review how staff have been treated having raised concerns within their Trust.
- 3.5 The details submitted will be reported at Workforce Committee.

4.0 Challenges since starting role

- 4.1 It is still early stage but the challenges experienced so far are projected for the next few months until the role becomes more established. Challenges were encountered such as:
- Clarity to staff about the remit of the role, its boundaries and managing expectations;
 - Working with managers to build relationships, increase information exchange and reduce resistance;
 - Underestimating the time commitment required to deliver the role within the 0.5WTE;
 - Staff fear of reporting concerns;
 - Increasing visibility and developing communications.

5.0 Action plan

- 5.1 Guardians should be copied in all reporting that comes via Trust raising concern inbox or any whistleblowing cases within the organisations in order to accurately report to the NGO and ensure whistle-blowers are treated fairly without fear of reprisal.
- 5.2 At present the Trust's FTSUG database holds only those concerns raised through the FTSG.
- 5.3 Many local Guardians have access to incident reporting systems; patient opinion, friends and family test and Serious Incident reviews for the purposes of identifying hot and cold spots within their Organisations. Also, where a staff have raised a concern to FTSUG, the Guardian may request from HR what information is held on the staff in relation to their concern if appropriate. Access to these systems will need to be explored and agreed with Director of HR and Chief nursing officer.
- 5.4 A significant amount of time needs to be devoted to raising the profile of the role especially at this early stage. Feedback from staff hearing about the role is that there is a need for more visibility from the FTSUG. More time is being spent with the communication team to address this gap.
- 5.5 Freedom To Speak Up Guardian will be working with Senior managers within the Trust to provide training on the importance of and how to raise concerns within the organisation and how to manage concerns when they are raised. There are future plan to commission PCaW to undertake a specific Q&A for managers and staff (separately). Training will be organised from February 2017
- 5.6 The Trust has been working with Public Concern At Work (PCAW: the Whistleblowing Charity) since 2015 to support the independent review, development and monitoring of our arrangements
- 5.7 Working with managers to help them understand that they are required to provide details with regards to how they dealt with concern, future actions and any learning- this is not a choice but rather part of the role of the Guardian to request these information.
- 5.8 Clarify escalation route for the FTSUG.
- 5.9 For the chief executive to support the FTSUG role by ensuring an assurance process has been agreed and communicated to all senior directors and managers.

5.10 A “Raising Concerns with Freedom to Speak Up Guardian Process Flow Chart” to be agreed with HR.

6.0 Recommendation

6.1 The Board is asked to **RECEIVE** and **NOTE** the report.