

**Agenda item 2.ii**

<b>Report to:</b>	<b>Board of Directors</b>	<b>Date: 02 November 2023</b>
<b>Report from:</b>	Tony Bottiglieri, Freedom to Speak up Guardian	
<b>Principal Objective/Strategy:</b>	To inform the board of progress on Speaking Up Service	
<b>Title:</b>	Freedom to Speak Up Guardian Update Report Q1&2: 2023/24	
<b>Board Assurance Framework Entries:</b>	Staff Engagement Patient Safety	
<b>Regulatory Requirement:</b>	Recommendation from Francis Review 2015; Governance – Well-led Framework Workforce	
<b>Equality Considerations:</b>		
<b>Key Risks:</b>	Staff do not feel confident to speak up and raise concerns	
<b>For:</b>	Information	

**1. Executive Summary**

In line with the recommendations of the Freedom to Speak Up Review (Francis, 11.2.15), the Trust has a Freedom to Speak Up Guardian who took up post in August 2018. This report reflects the period Q1 & 2 – 2023/24. Its intention is to inform the board of progress and of key issues.

**2. Context and background**

The development of the FTSU guardian role was one of the recommendations of the Sir Robert Francis FTSU review following the Mid Staffordshire Public Enquiry. The Trust appointed its first FTSU Guardian in 2016. The current FTSU guardian is the 2<sup>nd</sup> appointment.

In line with national recommendations, the Board is to receive six-monthly update reports followed by a yearly report on Freedom to Speak Up. This report covers the period April – September 2023. The board have received annual report for 2022/23 dated 1<sup>st</sup> June 2023. The FTSU guardian is currently appointed to role within the establishment of 0.6wte. The remaining establishment of 0.4wte is dedicated to accommodating clinical education.

**Progress to date**

It continues that staff demonstrate good confidence in the value of speaking up. Activities and events developed in 2021/22 and 22/23 are ongoing to help maintain and sustain awareness of the importance of speaking up, whilst also encouraging speaking up, and using opportunities to remind staff of the value in which the trust places on speaking up. Our endeavours are to help ourselves in working towards a just culture, where staff experience a safe, supportive, and rewarding working culture. In all conversations, staff are thanked and assured that this is “the right thing to do”.

We reach the end of October 2023 -speaking up month, a national celebration to mark and profile speaking up across the NHS draws to a close. This year's theme has been:

## Breaking Barriers



With support from our FTSU champions, we have been out in the atrium talking to staff and raising awareness of speaking up, offering support and guidance in how, speaking truth to power, we can all work together in *breaking barriers*. Alongside this theme, we have been actively looking to use the opportunity to profile the role of the FTSU champions as well as encouraging more staff to consider the role for themselves. No records of footfall were kept, although the stall was busy, we have attracted an additional 13 staff who wish to become FTSU champions.

As the trusts FTSU Guardian (FTSU G) I am confident that the role of the FTSU champion has become established. Champions are receiving greater contacts from staff, requests to listen and to signpost. It is a popular voluntary role. But as a voluntary role, as staff resign and leave, they take this aspect with them. Unfortunately, three champions left the trust during this period, however, balanced by 13 expressions of interest. Training is being organised, I will on update on progress through the annual report (2023/24).

Details of the mechanisms used to ensure champions are supported was reported in previous board reporting.

### **Support for the service and FTSU guardian.**

Support both for the role and postholder continues to be strong, access to executive and non-executive leads is readily available. 1:1 appointment is scheduled in good time and protected wherever possible. Undue and unpredictable concerns are communicated in good time also so prompt sightedness of issues of concerns is provided.

**During Q1/2**, investigations have or are being undertaken into other NHS Trusts, for example and which we are mindful of:

National inquiry into Countess of Chester Hospital (statutory).

University Hospitals of Birmingham – ICB & local NHS orders inquiry following BBC investigation into toxic culture. Previously, three major reviews into allegations that staff were punished for having raised concerns.

Independent review of Maternity Services at Nottingham University Hospitals NHS Trust

Launch of NHS sexual safety charter to help protect staff – 10 pledges/commitments to provide staff with clear reporting mechanisms, training, and support – to tackle/eradicate sexual harassment in the workplace.

Referenced here because in both quarters, as in previous reporting, staff continue to be challenged by speaking up. Incident reporting for this period is not dissimilar from previous

periods. It is critical that we listen, hear, and take seriously the issues and concerns raised by our staff and all those who speak up.

### National reporting

Quarter 1 and 2 reporting (2023/24) to the National Guardian's Office:

Please note that I have included incident data for 2022/23 Q1/2 as comparisons (column 3 & 4).

Period 2023/24	Q1	Q2	Q1 - 22/23	Q2 - 22/23
Number of cases brought to FTSU Guardian	31	36	32	41
Number of cases with an element of bullying or harassment	14	19	13	18
Number of cases with an element of patient safety/quality	1	2	2	4
Number of cases where staff indicate they are suffering detriment as a result of speaking up	8	9	4	0
Number of cases raised anonymously	0	0	0	0
Number of cases with an element of worker safety	8	6	3	7
Number of cases by specific group				
Admin/Clerical/maintenance	2	3	5	4
AHPs	16	5	5	3
Doctors	2	5	4	6
Healthcare Assistants	3	7	5	8
Nurses	8	12	12	17
Corporate services	0	4	1	3
<b>Given your experience, would you speak up again?</b>				
Total responses	27	29	24	35
Yes	13	15	13	26
No	2	6	2	3
Maybe	6	7	4	2
Don't know	6	1	5	4

### 3. Themes from cases brought to FTSU Guardian (Q1 & 2)

- Several of the incidents which fell within the category of bullying/harassment were raised with the FTSU G because staff did not feel managers/leaders took their concerns seriously or had confidence in them that the matter would be treated as such.

- As per previous reporting, staff report inconsistent messaging against trust values and behaviours, more concerning is failure by leaders to promote good behaviours across all grades of staff.
- Racial/ethnic discrimination bias against professional development opportunities
- Incivility is a key concern, appearing in a variety of forms, and across all levels of the trust.
- Delayed timeframes in responding to concerns/engaging with formal processes.
- Hygiene, intrinsic and extrinsic work motivation factors are cited as contributing to reasons for staff low morale.

#### **Example of cases reported during Q1 & 2**

- Repaying working hours following private staff emergencies.
- Christmas shift pattern concerns/leave requests not adequately addressed.
- Concerns regarding recruitment process and person specification adjustments
- Sexual harassment and supporting staff in reporting.

#### **4. Recommendation**

The Board of Directors is asked to receive and discuss this report from the Freedom to Speak up Guardian relating to Q1 & 2 2023/24.