

Report to:	Board of Directors	Date: 6th February 2020
Report from:	Tony Bottiglieri, Freedom to Speak up Guardian	
Principal Objective/Strategy:	To inform the board of progress on Speaking Up Service	
Title:	Freedom to Speak Up Guardian Update Report Q2 & 3: 2019/20	
Board Assurance Framework Entries:	Staff Engagement Patient Safety	
Regulatory Requirement:	Recommendation from Francis Review 2015; Governance – Well-led Framework Workforce	
Equality Considerations:		
Key Risks:	Staff do not feel confident to speak up and raise concerns	
For:	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 reporting period Q2 and Q3 for 2019/20. It is intended 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 2nd appointment.

In line with national recommendations, the Board of Directors is to receive regular quarterly update reports followed by a yearly report on Freedom to Speak Up. This report covers the period from September 2019 to December 2019. The board are advised that Q2 and Q3 report were submitted together to the National Office as required by the National Office due to a systems upgrade.

The current post holder is allocated 1 day per week undertaking duties related to this role. It is a concern that the current ability to undertake the full range of FTSU guardian duties and responsibilities on one 1 day per week continues to be challenging.

3. Progress to date

It was pleasing to be assured through the Trusts staff survey that over 80% of staff were aware of the FTSU Guardian, however, at time of writing, the guardian is not aware of the outcome of the recent survey and whether this has improved or reduced. Focus of activity since taking up post is now establish, several initiatives have led to staff becoming more conversant with the role and its contact points. The approach adopted and mechanisms used to enhance profile continue to be used. These are; holding surgeries and offering clinical and non-clinical area walkabouts; presentations, and membership of a range of Trust committees such as BAME, Joint Staff Council and the Equality, Diversity and Inclusivity Steering Group. Additional forums are currently being explored to enhance the triangulation of incident reporting to better understand the nature of incidents and its/their locations.

The importance of speaking up is both emphasised and strengthened within the corporate trust induction through the Chief Executives welcome, at medical staffing induction and at student placement inductions. Information about the role and service provided also appear in the trusts intranet with supporting speak up guardian and champion information posters placed in all clinical and non-clinical areas.

Priorities for 2019/20

Based on national guidance and internal Royal Papworth Trust discussions the priorities for 2019/20 are to:

- Continue to provide a safe channel for all staff who require support to raise concerns
- Work towards cultivating an improved speaking up culture at Royal Papworth, by continuing to support the current organisational initiatives.
- Learn from others, particularly from those who raise concerns to improve our policies and procedures for dealing with concerns.
- Seek ways to build upon the current channels for staff to enable them to raise concerns.
- Explore how the FTSUG role can link/contribute to the Culture and Leadership programme.
- Implement FTSU champions across clinical and non-clinical areas
- To find the appropriate local solution for implementing the National Guidelines on FTSU training for all NHS staff (National Office report August 2019).

4. National reporting

Quarter 2 and 3 reporting (2019/20) to the National Guardian's Office

This was submitted to the National Office when requested (w/c 11th January 2020). At the time of reporting, this amounted to 9 incidents (Q2) and 18 incidents (Q3). Most incidents fell into the category of harassment and bullying across this period (15); four incidents related to patient safety concerns.

To date, a total of 42 incidents have been reported to the National Office (2019/20). Fewer incidents were reported for the same period 2018/19 – 32.

5. Concerns raised with the FTSU Guardian

The themes identified in the concerns raised are as follows:

Concern theme	Sub-theme	Number	Occupational group
Bullying and harassment	Work expectations	7	Nursing; medical administration/coordination
Bullying and harassment	Equality and diversity (ethnicity)	4	Nursing
Bullying and harassment	Management and leadership style	4	Nursing; Admin and Clerical; Medical staffing
Patient safety		4	Nursing; medical

6. Feedback and outcomes of reported incidents

Several of the reported incidents are known to the trust and are currently in the process of investigation. Where permitted by the member of staff, incidents have been escalated to the Employee Relations Team for further action. Staff that did not wish to progress their concerns have had their concerns noted and followed up in order to seek an outcome. Not all staff responded to the request from the FTSUG for further discussion.

Where public disclosure is required, staff have been advised accordingly. In several incidents, staff requested the FTSUG contact their managers/leads, this is becoming more common but concerning also. We can surmise that staff confidence in reporting concerns to the Trust is improving but that pursuing redress with guardian support is increasing. However, the board should continue to recognise, as noted in previous reporting, that although factoring confidence in reporting has increased, still evident is the level of reluctance held by some staff on speaking up, particularly held where issues relate to staff behaviours and attitudinal based concerns are believed to be less important and discredited. We continue to receive reports of staff feeling intimidated by leaders during team events (handovers/bed management meetings etc), and where agreements to support flexible working are being reviewed and corrected.

In contrast, it is however pleasing to report that we are also witnessing an improved desire to call out issues related discrimination – sexual, race and religion. Notable difference on previous reporting periods is the increase in staff confidence in contacting HR partners and the associated employment policies. Individual discussions with staff reporting suggests a better understanding of staff entitlements and rights where HR partners providing responsive guidance on capability and performance conduct concerns.

Of those reporting to the FTSU guardian during Q2 and Q3, the national office requires guardians to report on whether staff would report again given their experiences. Of the 27 reported incidents, 16 staff stated they would speak out again, 4 stated “maybe” 3 stated “no”; and 4 did not respond.

In summary - as with previous reporting, the majority of incidents reported to the FTSU Guardian for Q2 and Q3 (2019/20) relate to issues of bullying and harassment, part due to leadership styles adopted by leaders and managers. This appears in table form above. We can also note that staff confidence in reporting appears to be increasing particularly where utilising existing policy processes frustrate staff.

Extending access to speaking up support has been initiated through the trusts strategy and vision policy, approved in 2018/19. Sixteen freedom to speak up champions have completed training and are now in place to support staff access. This commenced on the 16th January 2020, with feedback from champions suggesting usage is starting to develop.

Example of cases

Case 1

Patient safety:

Consenting behaviour; reported that a physician had acted inappropriately when consenting patients into a research study. Reporting was initiated by two staff members working in the trusts R&D dept.

Outcome – advice sought from the FTSU guardian, physicians supervisor informed, action was then taken to address the physicians consenting behaviour. Staff report behavioural improvement.

Case 2

Staff story reported to trust Board - November 2019

A series of concerns were reported to the board through its “storytelling” tool. This related to ward - 3rd floor, where issues highlighted a felt lack of staff empowerment, intimidator bed management behaviour, and staffing levels.

Following story reporting, a series of actions were undertaken, facilitated by the FTSU guardian and supported by the area matrons and charge nurse to address the reported concerns. Improvements are reported/noted, staff report improvements in staff empowerment, senior nurse support is considered to be more responsive and long term strategies on staff vacancies acknowledged.

Case 3

A HCSW encounters three other HCSW staff behaving inappropriately. This behaviour included swearing, and acting racially (where racial terms were used to describe other staff). The HCSW took it upon herself to instruct them to stop. On reporting this to the senior nurse, the HCSW was instructed to attend a meeting with her matron where a HR partner was present. Prior to this incident, the HCSW had been offered a permanent post, allowing her to transfer from temporary staffing to a substantive post.

The offer of a permanent post had been rescinded. The HCSW resigned from temporary staffing position and transferred to a similar arrangement within another dept.

Concerns - a detriment may have occurred that the possibility of reporting may have required her protection so as not to influence the offer of the permanent post.

The issue rested on whether the HCSW should merely have reported her observations of staff acting inappropriately/unprofessionally to her senior nurse as opposed to instructing staff to stop. There is a HR process ongoing relating to this issue.

7. Future Actions

- a. Implementation of the Trust's FTSU Guardian 2019-2021 strategy – to include the development and support of champions across the trust (MET and ongoing – January 2020).
- b. To continue to undertake activities which support the process of raising concerns (ward rounds, staff meetings, presentations at study days, trust inductions etc.), and to offer staff an opportunity to share their experiences and concerns. (Planning for structured activities is underway with FTSU champion support- January 2020)
- c. Training for all FTSU champions and on-going support (refer to item a)
- d. Implementation of National guidelines on FTSU training in the health sector in England (National guidance recommendations -2019).
- e. Training of the Trusts FTSU guardian September 2019 achieved – September 2019
- f. Involvement with National events – FTSU month- October 2019.
- g. Joint working with other local NHS Trusts where lessons learnt can be shared.
- h. Continue to fulfil our duties regarding national reporting.
- i. Support the outcomes following the recent staff survey.

8. Recommendation

The Board of Directors is asked to receive and discuss this report from the Freedom to Speak up Guardian.