Ashford and St. Peter's Hospitals NHS Foundation Trust

COUNCIL OF GOVERNORS
7th March 2018

TITLE	**Freedom to Speak Up Guardian**
EXECUTIVE SUMMARY	The key learning from the FTSU Guardian work highlights staff usually contact the FTSU Guardian when they have raised a concern with their manager and they have not received adequate feedback or resolution of their concern. The main themes of the concerns raised relate to Dignity at work, bullying and staffing issues. Further work is planned address bullying and harassment to reach vulnerable groups. For more information press the Green FTSUG button on the Trust Net
The Council is asked to:	Note
Submitted by:	Jacqui Rees, Freedom to Speak Up Guardian
Date:	26 February 2018
Decision:	For noting

The Trust's Freedom to Speak Up (FTSU) Guardian/s are Jacqui Rees and Keith Malcouronne our Non-Executive Director FTSU Guardian. The Trust has had FTSUGs in post for 18 months now.

The first FTSU Board Report was received in November 2016 and detailed setting up the service at the Trust. A range of training and induction activities have occurred throughout the year to promote the role along with policy development and ratification, website development, poster campaigns and the National Kitchen Table Week which also promoted speaking up about patient safety.

As range of videos has been produced to introduce the role of the Freedom to Speak Up Guardian and to support new managers and remind experienced managers on how to deal with concerns.

By March 2017 all 232 Trusts in England have appointed a FTSU Guardian. The South Coast Regional Network is also up and running with Network chairmanship rotating annually.

ASPH Freedom to Speak Up Policy

The Francis Freedom to Speak Up (FTSU) review sets out 20 principles on how the freedom of NHS staff to speak up about their concerns should be supported. These principles are reflected in our revised policy which was launched in March 2017.

The policy offers guidance to enable anyone who works regulated or unregulated (or has worked) in the NHS or for an independent organisation that provides NHS services to raise concerns safely. This includes agency workers, temporary workers, students, volunteers and governors. The process for raising a concern in our Trust is based on the National Guidance published by the National Guardians Office and supports all staff to raise concerns without fear of detriment. When raising a concern usually the line manager will be the first point of call. The Freedom to Speak Up Guardian is able to offer guidance and support for staff who are not able (for whatever reason) to speak up through their normal line management chain. The aim is to encourage and enable staff to speak up safely within their own workplaces.

Role of the Freedom to Speak Up Guardian

The FTSUG deals with all concerns confidentially but will aim to support the staff member to discuss their concerns openly where possible. Where this is not possible the ability to raise concerns away from the clinical area with someone independent in a safe environment is crucial. Raising concerns about their immediate line manager for example is extremely difficult and the FTSUG will support staff to do this ensuring no detriment to the individual occurs.

The FTSUG gives staff the opportunity to raise their concerns via email, telephone. datix or in person on or off site as necessary.

The National Guardian's Office (NGO)

The NGO is an operationally independent body, sponsored by NHS Improvement, NHS England and the Care Quality Commission. The National Guardian's Office provides leadership, training and advice for Freedom to Speak Up Guardians based in all NHS trusts and provides challenge, learning and support to the healthcare system as a whole by reviewing trusts' speaking up culture and the handling of concerns where they have not followed good practice.

The National Guardians Office (NGO) is now gathering performance data from each FTSU Guardian and the Q1 – Q3 2017/18 data has been published nationally. Ninety two per cent of trusts are now providing data. The table below shows the prevalence of key elements found in concerns raised.

Cases	National	ASPH
Included an element of patient safety / quality of care	32%	68.5%
Included elements of bullying and harassment	43%	22.8%
Person may have suffered detriment as a result of speaking up	5%	2.8%
Concern reported anonymously	19%	20%

ASPH compares well with national results and the high level of safety and quality elements in concerns raised reflects direct and indirect links, for example staffing concerns would have an element of safety and quality impact. Of note, 12 individuals who have contacted the FTSU Guardian in the last year have done so anonymously which suggests more work is required to establish trust in the independence and confidentiality of the FTSUG role. This also limits the FTSU Guardians opportunity to feedback to individuals.

The NGO has also launched an independent case review system as a mechanism for external review of how concerns have been handled at local level. The criteria for a case to be suitable for review includes failure of a NHS trust to respond appropriately to a concern relating to the treatment of patients and/or workers or where there is evidence to show that learning may be obtained from reviewing the case.

Further strengthening the NGO remit, (in consultation with the Care Quality Commission) (CQC), the NGO has developed key questions that test the speaking up agenda and how trusts support speaking up will potentially affect the overall rating CQC inspectors give for the 'Well Led' domain. Effective responses to the concerns raised by staff, steps taken to support minority and vulnerable staff groups to have a voice, and whether staff who are suspended are permitted access to their FTSU Guardian will be incorporated into future inspections. The Trust will be reviewing its progress in these key areas over the next 6 months in collaboration with the Workforce & Organisational Transformation Team.

Learning from Concerns Raised Q1-Q3 2017/18

All concerns raised with the FTSUG are recorded on a confidential tracker. There are nine types of concern logged in line with expectations of the National Guardians Office.

The key learning from the FTSU Guardian work highlights staff usually contact the FTSU Guardian when they have raised a concern with their manager and they have not received adequate feedback or resolution of their concern. The main themes of the concerns raised relate to Dignity at work, bullying and staffing issues.

Table 1

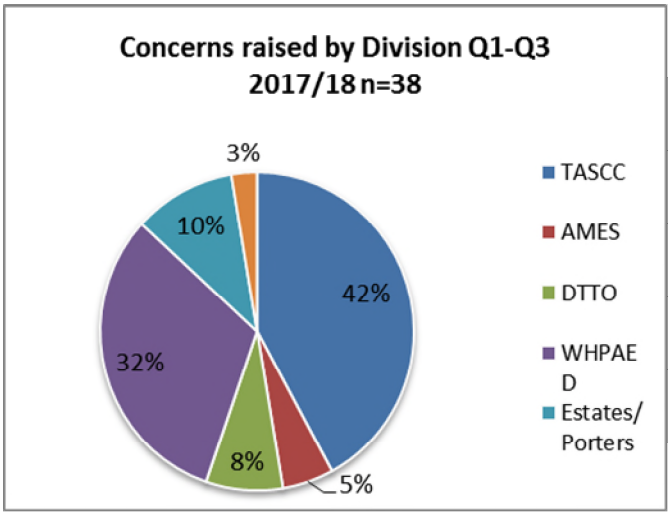

Table 2

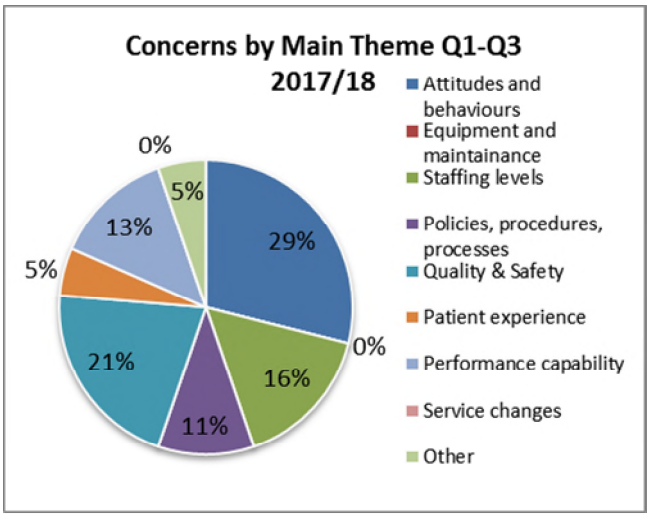

Table 1 indicates TASCC and WHPAED divisions raised the majority of the concerns followed by Estates/Porters.

Table 2 details the nine types of concern that are held on the FTSU tracker in line with expectations of the National Guardians Office. (0% scores for service changes and equipment and maintenance).

It is not surprising to note that not all of these would be regarded as 'whistle-blowers', some staff have made contact out of frustration with current procedures or lack of progress/communication and others have raised concerns that have not yet been raised elsewhere and therefore not had the opportunity to be discussed or addressed. These situations are not unexpected as the role is relatively new and FTSU Guardians across the country are having similar experiences.

Outcomes of the concerns that have been closed have included a review of patient flow pathways in diagnostics, refresh practical application of WHO surgical safety checklist, review of community nurse availability for taking bloods and informal human resource procedures.

Whilst most reporters contact the FTSU Guardian regarding single issues, a process has been implemented during the year to offer regular FTSU Guardian service users the option of exploring additional sources of support where review of concerns indicate this may be warranted. Focus always remains on ensuring the reported concern is addressed effectively.

Table 2 shows 11 (29%) of concerns raised pertain to attitudes and behaviours, in particular dignity at work and bullying and harassment. In response to this theme and the outcome of Trust benchmarking against the National Guardian Report 2017 (see Appendix 1) the FTSUG and HR are working together to introduce FTSUG ambassadors across the Trust with a formal group where bullying and harassment issues are reported and addressed as appropriate via the Trust HR processes.

People Speaking Up

In line with the national picture, nurses, administrative and clerical staff have raised the most concerns during Q1-Q3 2017/18.

Evaluation of the Service

Feedback from staff who have raised concerns has been sought for Q1 and Q2 2017/18. Encouragingly, 80% said they would speak up again based on their experience of speaking up. The main themes from the feedback have been positive with staff reporting;

'My report was treated with respect'
' I feel better ' … as a result of raining my concerns
' I was relieved to learn that I had such a good support from everyone, I received amazing support and a swift response'

Next Steps

Appendix 1 details areas for development of the FTSU Guardian role at ASPH based on the NGO national survey of FTSU Guardians. In summary, ASPH have the majority of the core recommendations in place except the appointment of FTSU Ambassadors which is the FTSU Guardian has recommended the Board support in order to spread the FTSU message and support more widely and closer to the 'shop floor'. Engagement with vulnerable staff groups is also part of the next phase in ASPH safety culture improvement and this work will be achieved alongside the HR team.

Appendix 1

Area	Recommendation	Development	Lead
Appointment	Appointment of guardian is fair and open and senor leaders have confidence in the integrity and independence of the appointee.	Assurance question to be added to feedback form	FTSUG Complete Nov 2017
Potential conflicts of interest	Potential for conflicts to arise where a guardian has a role in human resources	Guardian not an HR professional	Complete
Local networks	All trusts consider developing a local network of ambassadors depending on local need.	Appoint Ambassadors for each Division	FTSUG
Diversity	Guardians should consult with relevant representative groups in developing their approach on diversity characteristics to ensure any potential barriers to speaking up that particular groups face are understood and tackled.	Consult BME groups.	FTSUG
Communication and training	Guardians use all appropriate communication channels to ensure that all staff know of their role. Particularly in staff inductions.	In place, regular training and inductions	Ongoing
Partnership	All guardians continue to develop working partnerships with all relevant parts of their organisation and forge strong partnerships with Teams and Individuals.	Ongoing spread will improve with appointment of FTSU Ambassadors	FTSUG
Access to senior leadership	All guardians have direct and regular access to their chief executive and non-executive director with responsibility for speaking up.	Currently report to Chief Nurse and work alongside NED	Complete
Board reporting	All guardians to present regular reports to their board. Board reports should include measures of activity, impact and case studies where appropriate.	In place	Complete
Feedback	We recommend that guardians always gather feedback from their line managers and from those they are supporting.	Feedback evaluation sought from all contacts.	Ongoing
Time	All trusts to provide ring-fenced time for anyone appointed as a guardian.	Ring fenced time in place	