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Agenda item 08

Q4 Freedom to speak up report

Board of directors 27 May 2022

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| **Report title** | Q4 Freedom to Speak Up report (1 January to 31 March 2022) |
| **Report from** | Ian Tombleson, Lead Freedom to Speak Up Guardian |
| **Prepared by** | Ian Tombleson, Lead Freedom to Speak Up Guardian and the Guardian team |
| **Link to strategic objectives** | We will have an infrastructure and culture that supports innovation  We will attract, retain and develop great people  We will pioneer patient-centred care with exceptional clinical outcomes and excellent patient experience |

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| **Executive summary**  This paper provides a Q4 report from the Freedom to Speak Up (FTSU) Guardians covering the period 1 January to 31 March 2022.  This report provides assurance to the Board that FTSU Guardians are providing an independent service in line with promoting an open and safe culture in which to speak up and this also meets the expectations of National Guardian’s Office requirements. FTSU Guardians continue to make themselves accessible for staff to raise concerns. The number of concerns raised and the broad themes are set out in this report. | | | | | | | |
| **Quality implications**  The Trust’s approach to developing and supporting the work of the FTSU Guardians is an important element of providing a supportive and open culture. If staff feel that they are supported in raising concerns in a safe environment and that their concerns are acted on, then this will have a positive impact on patient safety and staff well-being and improve the trust’s ability to learn lessons from incidents and support good practice. The Trust Board provides leadership and support to enable an open and transparent culture. | | | | | | | |
| **Financial implications**  There are no direct financial implications arising from this paper. | | | | | | | |
| **Risk implications**  Organisations should have a culture where staff feel able to voice their concerns safely. Not having this culture can create potential impacts on patient safety, clinical effectiveness and patient and staff experience, as well as possible reputational risks and regulatory impact. | | | | | | | |
| **Action Required/Recommendation**  This paper is provided to the Board for assurance. The Board is asked to:   * Discuss and note the content of the paper. | | | | | | | |
| **For assurance** | **✓** | **For decision** |  | **For discussion** | **✓** | **To note** |  |

1. **Background to the Guardian Service**

FTSU was a recommendation of the Freedom to Speak Up review by Sir Robert Francis that was published in 2015 and the role of Guardians continues to mature across the NHS. He recommended that FTSU Guardians act in a genuinely independent capacity and support staff to raise concerns. Guardians promote a culture in which staff feel safe to raise concerns.

FTSU has a much broader definition than the previous term ‘whistleblowing’ which was often only used in the most extreme circumstances and was viewed negatively. Over the years since its inception FTSU continues to broaden its support service and runs alongside other support services within organisations. FTSU is viewed as way to provide additional support to staff to resolve concerns informally and quickly. It provides a set of flexible arrangements to get the best outcomes for staff and management and works alongside other relevant polices.

FTSU runs complementary to encouraging a broad speaking up culture where staff feel free to raise concerns as they go about their day to day business. Speaking up should be business as usual rather than something that is a unique environment of the Guardians. However, if we are needed by staff we should be accessible, readily available and responsive.

In policy terms Moorfields (like other NHS organisations) follows the national freedom to speak up policy which provides a framework rather than a specific model for FTSU. The national policy is being updated reflecting further maturing and progress – updating this has slightly been delated further to the new national guardian taking up post. The direction of travel is that it is likely to be clearer in its messages and further reflect the supportive role of Guardians in organisational culture and their role in supporting resolving issues and concerns. Moorfields policy is due for updating shortly and will include the key elements from the national policy.

There is a National Guardian, Dr Jayne Chidgey-Clark, previously a Guardian herself in an NHS organisation. She has fairly recently been appointed and is travelling round different parts of the country to promote FTSU.

Moorfields has a network Guardians model to serve its network. Moorfields has FTSU Guardians which form a team arising from across the network geography; it also shows good representation across professional groups and backgrounds. The Guardians at Moorfields report through to the Chief Executive and a quarterly report is produced for the Trust Board.

The five Guardians are:

* Dr Ali Abbas, consultant ophthalmologist, City Road and Moorfields South
* Derek Scott, health records manager, City Road/Trust-wide
* Amita Sharma, infection control lead nurse, City Road/Trust-wide
* Julie Smythe, ECLO, Moorfields South
* Ian Tombleson, director of quality and safety (lead guardian), Trust-wide

If individuals are not happy to raise concerns via the Guardians, or their concern is about the Guardians themselves or is at a Trust Board level, then these can be raised independently with Adrian Morris, non-executive director. All the Guardians have received training from the National Guardian’s Office.

Examples of potential FTSU concerns in the policy include, but are by no means restricted to:

* + - * Unsafe patient care
      * Lack of, or poor, response to a reported patient safety incident
      * Unsafe working conditions
      * Suspicion of fraud
      * Possible criminal offence
      * Negative staff morale
      * Abuse, bullying or harassment
      * Health and well-being of staff.

1. **Guardian accessibility and initiatives**

As has been made clear in previous reports, visibility of the Guardians is key to accessibility and use of the service. We have an eyeQ page and lock screens are used displaying us across the organisation. Staff comment that they do notice these screens and recognise the Guardians. However, the best way of creating visibility is through network site visits and these have become an established part of the Guardian function. As well as promoting the role of Guardians, engagement across the network enables Guardians to keep in touch with staff lived experiences.

Two key phrases the Guardians use when promoting their role are:

‘Everyone should feel able to speak up’ and;

‘Let’s make ‘speaking up’ business as usual’.

There were five visits to network sites and six to City Road during Q4; including Northwick Park, Mile End, Nelson, Croydon and Stratford. Guardians have a forward rolling plan of visits during Q1 2022/23.

Typically visits include speaking to staff about how they are feeling, making them aware of how to raise concerns more broadly through their management line and also to make them aware of the FTSU role and what additional support can be provided. This helps staff feel relaxed and makes them aware they could raise concerns to the FTSU Guardians in a confidential way. Following visits anonymised reports are sent to the relevant management team providing them with the issues that were raised and staff perspectives. We notice that staff speak freely in this environment as they have the confidence that information is collected in a safe space and is non-attributable.

We noticed that in January 2022 there were no concerns raised with the Guardians, this is likely due a combination of factors including Covid, staff sickness and other life priorities. This reflects a similar position to the whole of Q3 the previous year. Overall for Q4 more concerns have been raised than in the previous two quarters (see section 4) and take up in Q1 2022/23 appears to be increasing. Later in the year a simple questionnaire will be developed and promoted, inviting staff for their views about the Guardians service and how it can support them.

During Q1 and Q2 the Guardians will be undertaking a review the Moorfields FTSU service. The London Regional Chair has kindly agreed to review the service within the context of the current working environment including learning from other services and making improvements where required.

As a further initiative the Guardians are working with the workforce team to support organisational learning from their visits which will help inform the new people plan.

Moorfields Guardians form a proactive part of the London Regional network and attend regular on-line sessions. This network is useful to review practice and to share on-going challenges between services. It has recently been attended by the national freedom to speak up guardian and it is sometimes attended by her team in the National Guardian’s Office to provide feedback and explain about policy direction and change.

National initiatives for FTSU include promoting awareness with Boards and within trusts about the Guardians service. A recent annual survey of the FTSU Guardians indicates a fall in the portion of respondents who said that their organisation had a positive culture of speaking up. Further training is available for Boards which combines with other helpful modules for staff and this will be promoted further.

1. **Board oversight**

Guardians have regular sessions with the Chair and Chief Executive to discuss how the process is functioning, activities and key themes. The Director of Workforce is also present during these sessions. Adrian Morris, as a non-executive director, provides independent oversight and support for the Guardians. No cases have been referred to him this year. The Board receives quarterly reports from the Guardians and an Annual Report at the end of each year.

This report provides assurance that FTSU Guardians are in place, that they are independent from management, that their accessibility is promoted and that staff are able to raise concerns. FTSU is part of the trust’s culture to support and promote an environment where staff feel safe and confident to speak up. It also highlights areas where there are opportunities to improve the service. The number of concerns raised and the broad themes that have been raised are set out in section 4.

1. **Concerns raised 1 January to 31 March 2021/22 (Q4)**

**Quarter 4 2021/22 concerns/issues**

During Q4, 24 concerns were raised as set out below. Sometimes multiple concerns are raised shown in the data as primary and secondary concerns.

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| **Theme** | **Primary** | **Secondary** |
| **Culture/Behaviour 1** | 13 | 0 |
| **Process2** | 3 | 11 |
| **Training** | 0 | 0 |
| **Patient safety/quality/risk3** | 0 | 8 |
| **Staff safety/well-being**4 | 8 | 0 |
| **Total** | **24** | **19** |

1 = definition includes a range of behaviours from poor management visibility, poor communication, putting staff under undue pressure, potential bullying and harassment and poor working culture

2 = definition includes issues around what process is required or whether a specific process has been followed

3 = definition includes a very wide range of issues from potential concerns about specific harm to patients, to service quality, to poor customer care.

4 = Staff safety and staff well-being impact.

It is important to note that no serious patient safety concerns have been raised where death or serious harm have occurred or were about to be caused directly or indirectly to patients.

1. **Conclusions and learning**

Q4 2021/22 has shown consistent and slightly increased activity compared to previous recent quarters and in general terms is consistent with the distribution of data across staff groups although small numbers mean that meaningful statistical comparison is difficult.

The Board is asked to note that the FTSU Guardians are in place and are accessible to staff. They function independently from management and in line with requirements from the National Guardian’s Office. Guardians continue to promote their role and speaking up generally mostly through face to face engagements with local teams.

There are processes in place to resolve concerns as they arise, for example feedback to management on the themes raised. There is an independent Non-Executive Director available if staff wish to approach them directly, or the concern is at a Board or senior level in the organisation. The Chair and Chief Executive have regular confidential conversations with FTSU Guardians to keep them informed about activity and themes to support resolution of issues and to provide additional support to the Guardians as required.

**Ian Tombleson**

**Lead Freedom to Speak Up Guardian**

**19 May 2022**