

## Board of Directors

3 September 2020

<b>Report Title:</b>	<b>Freedom to Speak Up Guardian Report on Activity</b>
<b>Executive/NED Lead:</b>	Leigh Howlett, Director of HR&OD
<b>Report author(s):</b>	Tom Fleetwood, FTSU Guardian
<b>Previously considered by:</b>	Integrated Assurance Committee

Approval     
  Discussion     
  Information     
  Assurance

### Executive summary

#### Introduction

Since the start of the Covid 19 pandemic, there has been a significant rise in the number of concerns that have been brought to the Freedom To Speak Up Guardian. This is unsurprising and has been reflected across other Trusts in the East of England. Many concerns have been specific to the pandemic, in particular with regard to matters involving personal protective equipment (PPE). On many occasions, such concerns have been addressed centrally before becoming an issue and the Infection Control Team in particular deserve praise for their reaction to changing direction and policies.

Whilst the support offered to the Freedom To Speak Up Guardian has always been excellent, it has been salutary how much extra effort those within management positions have put in to support the Guardian throughout this period. In particular, the Guardian has always had clear and easy access to those within the Executive Team on the occasions that he has raised concerns and had met regularly pre covid with the CEO and Chair.

#### Concerns Raised

Between the 25<sup>th</sup> March 2020 – 1<sup>st</sup> August 2020 there have been 43 significant issues raised with the Guardian. These have included concerns over bullying and harassment, poor management and patient safety. Any alleged patient safety issues have been immediately flagged up to the most relevant executive and have been dealt with.

As in previous reports, it is rare that a concern involving patient safety does not include an element of poor management or leadership as well as an element of bullying and harassment. As mentioned previously, there were a number of concerns raised with regard to PPE, which included elements of concern over social distancing within the Hospitals and which later transmogrified into concerns over risk assessments and working from home. A number of these were resolved without action from the Guardian as updated direction and policy was generated by the Trust.

Many staff groups raised concerns including clinicians, nurses and midwives, administrators and support staff.

#### BAME, LGBTQ+ & Disability Groups

The Guardian meets fortnightly with representatives from the BAME, LGBTQ+ and Disability communities and works alongside the Head of Equality Diversity and Inclusion in ensuring that the specific needs of these communities are met. These are hugely useful meetings and allow support to be offered and intelligence to be received on areas of potential concern. It has also served as a very good forum to allow individual leaders in these areas to educate those less knowledgeable in such matters.

#### Triangulation / Changes to practice

The Guardian sits within the Wellbeing Group Hub and has done so since the start of the pandemic. This has proved hugely effective and useful, generating a twice-weekly opportunity to share information and identify possible hotspots across the Trust. Participation within this group includes the Assistant Director HR, the Head of Occupational Health, Clinical Psychologists, the Head of Chaplaincy and the Head of Charity and Voluntary

services amongst others. In addition to this meeting, the Guardian meets on a weekly basis with the staff side chair to compare areas of concern and to ensure that all avenues are used in an attempt to support staff with concerns.

### Policy Changes

The current Raising Concerns/ Freedom To Speak up Policy for ESNEFT reflects previous national guidance though is still contained with separate Colchester and Ipswich policy documents. The intent had been to produce a single ESNEFT Policy midway through this year but this was dependent on new national policy that had been expected in Q1 2020. The National Guardians Office have now indicated that this policy will be published in Q4 2020 and on receipt will be incorporated into a single ESNEFT Policy.

### Way Forward

Within ESNEFT's intent to develop the culture of encouraging our staff to speak up and raise concerns there is a larger NHS initiative which is reflected within the "WE ARE THE NHS: People Plan for 2020/2021 - action for us all - Building confidence to speak up: By March 2021, NHS England and NHS Improvement will launch a joint training programme for Freedom to Speak Up Guardians and WRES Experts. We will recruit more BAME staff to Freedom to Speak Up Guardian roles, in line with the composition of our workforce.

In addition, the Guardian continues to support all inductions and has recorded a presentation for online use. He will also again contribute to the leaders induction programme as it is reinvigorated.

### Action Required of the Committee

The Board is asked to note this report.

Link to Strategic Objectives (SO)		Please tick
SO1	Keep people in control of their health	<input checked="" type="checkbox"/>
SO2	Lead the integration of care	<input type="checkbox"/>
SO3	Develop our centres of excellence	<input checked="" type="checkbox"/>
SO4	Support and develop our staff	<input checked="" type="checkbox"/>
SO5	Drive technology enabled care	<input checked="" type="checkbox"/>

<b>Risk Implications for the Trust</b> <i>(including any clinical and financial consequences)</i>	If we do not have a clear corporate governance framework, staff may conduct business outside it resulting in lack of escalation and breach of agreed authority and accountability arrangements
<b>Trust Risk Appetite</b>	Compliance/Regulatory: The board has a minimal risk appetite when it comes to compliance with regulatory issues. It will meet laws, regulations and standards unless there is strong evidence or argument to challenge them
<b>Legal and regulatory implications</b> <i>(including links to CQC outcomes, Monitor, inspections, audits, etc.)</i>	Well-led framework Legal accountabilities to our workforce
<b>Financial Implications</b>	Potentially significant due to additional hours worked to manage the Covid19 response.
<b>Equality and Diversity</b>	None specifically for this report