

**Trust Board  
Report Summary**

<b>Date of meeting:</b> 2 <sup>nd</sup> May 2024	
<b>Title of Document:</b> Freedom to Speak Up Report	
<b>To be presented by:</b> Tom Fleetwood, Freedom to Speak Up Guardian	<b>Author:</b> Tom Fleetwood, Freedom to Speak Up Guardian
<b>1. Status:</b> For Approval/ <u>Assurance</u> /Discussion/Information	
<b>2. Purpose:</b> This report provides members of POD with an update on the activities progressed by the Freedom to Speak Up Guardian during the period September 2023 to end of February 2024.	
Relates to:	
Strategic Objective	Improve quality and patient outcomes
Operational performance	Deliver a sustainable, skilled workforce
Quality	Improve quality through cultural change
Legal, Regulatory, Audit	Policy in accordance with National Guardian revised Policy
Equality and diversity	In accordance with direction and guidance through Equality, Diversity and Inclusion Operational Group
Finance	Provide better value for money
Governance	Through POD
NHS policy/public consultation	In accordance with National Guardian Guidance
Accreditation/ Inspection	Through POD
Anchor institutions	N/A
ICS/ICB/Alliance	
Board Assurance Framework (BAF) Risk	BAF4 - Quality assurance mechanisms regarding the quality and safety of patient services.  BAF5 - Workforce – recruitment and retention
Other	
<b>3. Summary:</b> The report summarises the concerns that have been raised with the FTSU Guardian and outlines the other programmes of work that are underway.	

**4. Recommendations / Actions**

Members are asked to note this report for information.

## Freedom to Speak Up: Guardian's Report July 2023 to end February 2024

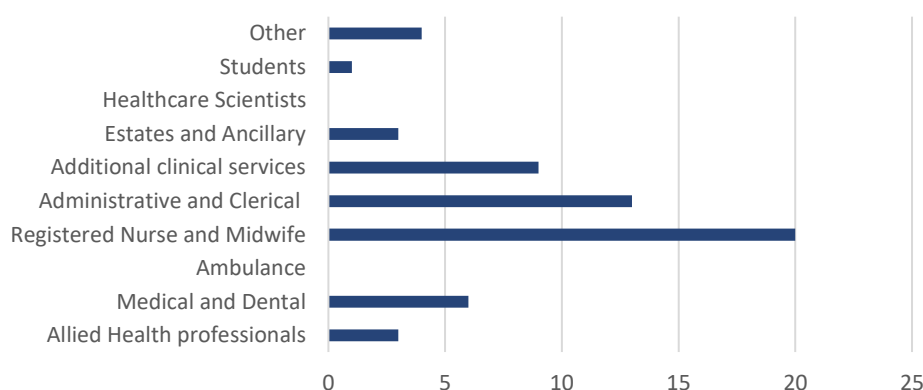
### Introduction

The number of concerns raised with the Guardian for Q2 and Q3 23/24 has remained steady at 59. As in previous years there has been a dip in the number of concerns raised throughout July and August with an increased number of concerns in December. Whilst not included in the figures below there has been an above average increase in concerns in January and February Feb 2024.

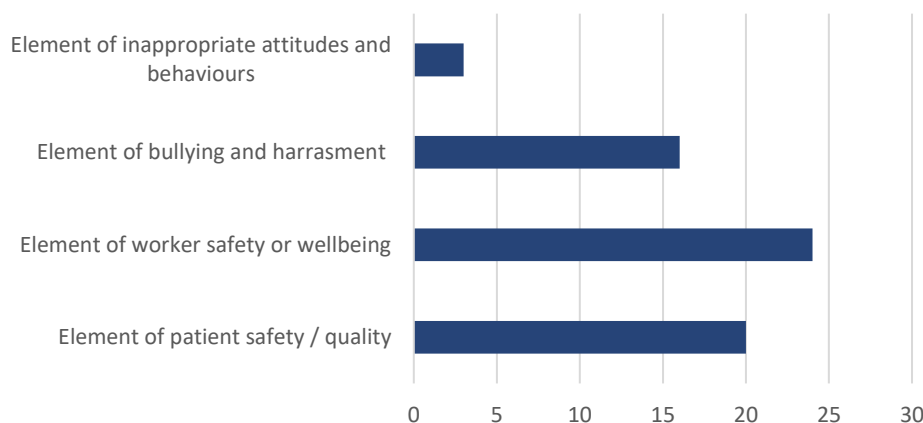
### Data

Data submitted to the NGO for Q2 and Q3 2023/24 is shown below:

Concerns raised by professional group



Number of concerns raised which contained the following elements:



### What were people speaking up about?

There is an increase in frustration amongst staff that behaviours are deteriorating and that kindness and empathy are not much in evidence. Staffing levels on wards were often mentioned as a contributing factor. There were a number of concerns raised by international staff regarding their acceptance within the workplace.

## Themes from Q2 and Q3

- Incivility and difficulties in relationships between colleagues are the dominant themes this quarter
- Challenges have been encountered regarding integration and inclusion of international staff
- Lack of support by Line Managers to staff returning to work from sick leave and support generally to staff struggling with an increased workload.

Each concern is being dealt with on an individual level however, from a Trust wide perspective, the following actions are being taken to address the above points:

- The additional Assistant Freedom to Speak up Guardians within the various staff networks increases our reach into those areas of concern. All International Nurses and AHPs are now briefed on raising concerns as part of their 10 week induction process.
- Bite size training sessions have been introduced to further educate middle management and to increase understanding behind the cultural shift that the Trust needs to make to better support those who raise concerns.
- The Trust Board participated in a study chaired by the National Guardian reviewing the Self-Assessment Framework and addressing areas of concern. Further town Hall events are planned in both Colchester and Ipswich for later this year, hosted by the National Guardian though presently the dates are on hold.

## Feedback on the Freedom to Speak Up Process

As part of the good practice identified by the Self-Assessment framework an anonymous follow up survey is sent to all those who raise a concern. This includes questions on ethnicity and gender issues but predominantly focuses on the service offered to staff members.

It has generated some strong comment and a number of familiar themes have emerged. Whilst staff welcome having a Raising Concerns / Freedom to Speak up process and have generally been very appreciative of that process, there is frustration and in some cases anger that staff have had to use this service. Staff who raise concerns do not generally feel supported by their immediate management and there is a firm belief that detriment will follow if they do raise concerns.

It is clear not only from this feedback but also from face to face interviews and other meetings that there is still a gap between those who acknowledge the importance of supporting and protecting those who speak up and those who believe that any comment on their own particular part of the organisation is disloyal and unhelpful.

Given your experience of raising a concern, would you be willing to do so again?



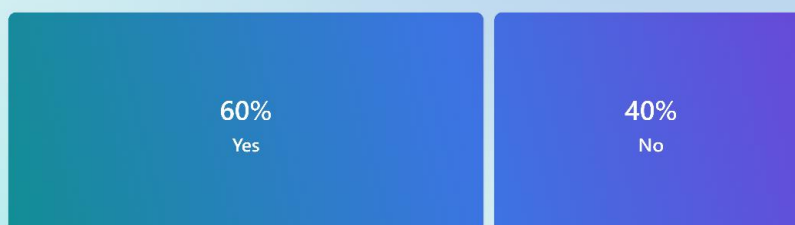
If your answer was no please explain why

#### Comms team didn't take the concern seriously

Unfortunately my pleas have not been heeded so far which is a shame and even embarrassing for the Trust, but I would do it again otherwise the Culture never changes.

Although I know that I need to raise concerns as part of my code of conduct and of course I will do. I do, I have a lot of reservations. The main one being I did not feel at all protected after this and the subsequent bullying and harassment was not acknowledged.

Do you feel that ESNEFT takes raising concerns seriously?



If your answer was no would you please provide a short summary of why?

I was made to feel as though I was being disruptive and the \*\*\*\* team didn't take the concern seriously which meant that the changes I suggested weren't actioned or looked into. I've not had any updates regarding the concerns from either EDI team or HRBP so I seems as though they only pulled me into a meeting to make me think I was heard but not really to help me. Similarly, my concerns about the \*\*\*\*\* training were ignorantly swept under the rug.

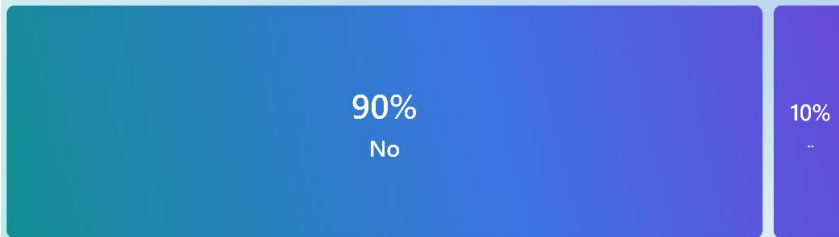
My experience with the Freedom to Speak Up Guardian was excellent and I think this is the start of good progress. However it does seem like a system set up quite late and there is a lot of catching up ESNEFT needs to do as unfortunately I am still hearing stories of concerns being raised and dismissed from other staff members so although this is a step in the right direction, I think so far the history of raising concerns has unfortunately not been ideal.

My issues had no easy resolution and the problem and damage for my career were already caused, unfortunately for me and only I will reap and deal with these consequences alone in the future, but

it still doesn't mean that I didn't deserve an opportunity to talk and express my views and maybe get the help I haven't had so far.

The reason I went to freedom to speak because management where not taking concerns seriously so this needed to be raised higher

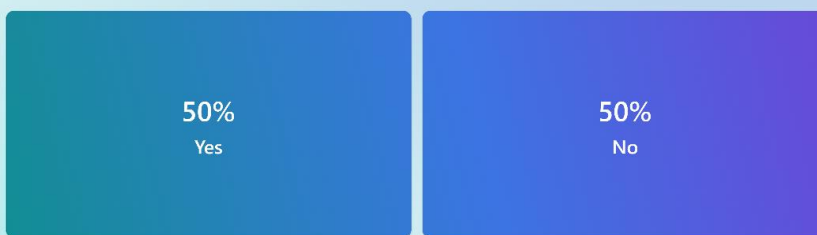
Do you feel you encountered any form of detriment as a result of raising a concern?



If your answer was yes would you be able to describe what happened?

Subsequent bullying and harassment from the ward where I raised concerns, when I reported this, there was 'little evidence' as the perpetrators denied this. Also I feel my own professional reputation was damaged as the letter I received after reporting this. Described my own behaviour as 'unprofessional', which I think is not only untrue but also unfair. Although I know that ESNEFT wants to protect those who raise concerns, I don't think they can as any bullying after a concern is raised will just be denied.

Freedom to Speak Up is one of many ways that our colleagues can raise a concern. Are you aware of other avenues that you could...



If your answer was no what do you feel is the best way that we can make staff aware of how to raise a concern?

Not sure, I believe there are too many avenues but none led to a solution. The buck just passed along to another team without being resolved.

Posters

Place posters either in staff offices or even in staff toilets where I note there are some posters for discrete advertising

further education and awareness

Is there any further information you would like to share regarding raising concerns?

\*\*\* was amazing. His support was crucial in my case. The issue is the wider trust and values.

I raised concern because the education team wanted me to complete some mandatory training, which I did, but then my pay was suspended since they argued that there were still some training that I did not do. My ESR showed 100 % compliance but they then added a few more training modules to the list that I had to do despite the fact that the compliance on ESR showed 100% and I was not even informed about it. They just suspended my pay and their justification of not informing me was that they were too busy. The other concern was that I feel this practice to enforce us to do BLS and repeat it every 3 months is wrong. I am ALS trained, so does that mean that the Trust does not recognise the certificate given to me by Resus Council? Only because the trust had made a policy of repeating BLS training every 3 months, does not mean the policy is correct. I am questioning this policy, because it is questioning my capabilities and it is taking up my time. Could you please address these issues and update me. Thank you.

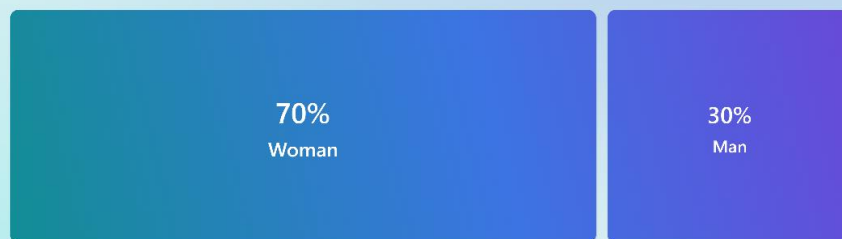
I found the process reassuringly easy. As it has only been a week since meeting with my Director I can't speak to how effective the raising of issues has been. I will monitor and feedback with any useful information or further concerns.

no

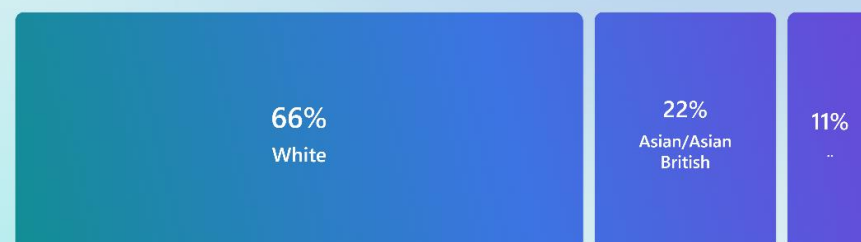
No

If it wasn't for freedom to speak I am unsure whether I would have returned to work. \*\*\* was very supported and felt they listened and acted on my behalf to raise concerns to the correct person.

It would be helpful if you could share some additional information about yourself. How do you identify your gender?



How do you identify your ethnicity?



## How do you identify your sexual orientation?



## How do you identify your religion?



### Discrimination

The FTSU works closely with the EDI Team and is a member of the steering group. The appointment of Assistant Guardians within the EMBRACE and ESNABLE networks has proved particularly fruitful and gives a clear route for those from an ethnic or disabled background who might struggle to raise concerns, to do so in a comfortable and safe setting. In addition to this the FTSU has attended inductions for international staff on a regular basis and gives a separate presentation focused on addressing the sensitivities amongst those who could find it difficult to raise a concern.

**The Guardian and Assistant FTSU Guardians are working to improve the culture of speaking up throughout ESNEFT.**

What's going well:

- FTSU continues to be promoted throughout the Trust with recent training sessions provided by the FTSU for teams including all Governors.
- The Assistants network continues to grow, is currently 15 with an aspiration to appoint new Assistants in each outstation.
- FTSU awareness included in staff and student induction programmes



Even better if:

- Scope remains to increase the percentage of staff undertaking FTSU training.
- ‘Speak up’ and ‘Listen up’ training promoted Trust wide and became mandatory for all managers.

### **Speaking up policies and processes are effective and constantly improved**

What’s going well:

- New [FTSU policy](#) adopted and easily available online.
- FTSU working closely with NGO and local area FTSU network to ensure adherence with national policies and processes.

Even better if:

- A one page guidance for managers regarding raising concerns process and actions required is produced.
- The development of a robust timeline setting out expectations for action and feedback from managers following a FTSU concern being raised

### **Senior leaders are role models of effective speaking up**

What’s going well:

- Director People and Wellbeing Guardian hugely supportive of FTSU with regular (separate) monthly meetings in diary with immediate access if required.
- Executive Team support and access exemplary and invariably acted upon with alacrity.
- FTSU guidance and resources available from [NHS England](#) and the [National Guardian’s Office](#)

Even better if:

- Element within middle management that still does not recognise the importance in listening to and supporting those that raise concerns accepts the shift in culture. This is not limited to management and includes some clinical staff who can stall, delay and obfuscate.
- The Board reaffirmed their commitment to the vision statement and promulgated it throughout the Trust.

“We encourage our staff to raise concerns openly or anonymously if they prefer, safe in the knowledge they will be supported if they do, to make our trust a positive and trustworthy place to work and receive care.”

### **All workers are encouraged to speak up**

What’s going well:

- Focus on inclusion and reaching those who may be less likely to speak up
- Assistant Guardians continue to support team members to raise concerns

Even better if:

- Staff survey indicates more work is needed to encourage all staff to speak up
- National research shows “fear and futility” are reasons why staff may not speak up, ways to overcome this at ESNEFT to be identified.

### **Individuals are supported when they speak up**

What’s going well:

- Assistant Guardians offer valuable support by listening to colleagues
- Majority of individuals report feeling listened to and supported by the Guardian when raising concerns
- Policy clearly states that it is safe to speak up and confirms that mistreatment because of speaking up will not be tolerated.

Even better if:

- More planned learning and development opportunities for managers to include resources on supporting staff who speak up

### **Barriers to speaking up are identified and tackled**

What’s going well:

- Face to face support meetings for colleagues who find it difficult to speak up
- Assistant FTSU are members of all staff networks

Even better if:

- FTSU continues to work with staff networks

### **Information provided by speaking up is used to learn and improve**

What’s going well:

- Wellbeing MDT allows data sharing and identification of hotspots.
- Close link between the Wellbeing Hub and in particular both Occupational Health and the Staff Psychology Service increases reach and allows vulnerable and nervous staff to get the support that they need.

Even better if:

- Continue to work closely with HRBPs, department leads and executives to ensure concerns are shared and used for learning and improvement

### **Freedom to speak up is consistent throughout the health and care system, and ever improving**

What’s going well:

- FTSU continues to work with the regional guardian network to ensure ESNEFT is working in line with Trusts in the area and nationally.
- Trust working in line with NHS and NGO guidance on speaking up