

BOARD OF DIRECTORS MEETING

Agenda Item	P1/033/19	Date: 01 March 2019						
Subject /title	Freedom to Speak Up Strategy							
Author	Linda Morris, Freedom to Speak Up Guardian							
Responsible Director	Sheila Lloyd, Director of Nursing & Quality							
Executive summary and key issues for discussion								
<p>The Trust is required to have in place a robust and realistic Strategy that links speaking up with patient safety, staff experience and continuous improvement.</p> <p>The Freedom to Speak Up Strategy was approved at a Board Development day in September 2018, subject to the addition of roles, responsibilities and alignment to the Trust Values.</p> <p>The aforementioned Strategy has been updated to reflect the amendments above.</p>								
Strategic context and background papers (if relevant)								
N/A								
Recommended Resolution								
<p>The Trust Board is asked to:</p> <ul style="list-style-type: none"> Approve the Freedom to Speak Up Strategy 								
Risk and assurance								
Link to CQC Regulations								
Responsive Well-Led								
Resource Implications								
The Freedom to Speak Up Guardian and Local Guardians will require time to establish awareness training at all levels within the Trust.								
Key communication points (internal and external)								
<p>The key communication points are as follows:</p> <ul style="list-style-type: none"> Leaders and all staff are knowledgeable about Speaking Up The Trust has a structured approach to Speaking Up Leaders actively shape the Speaking Up culture within the Trust The Trust is focused on learning and continual improvement around Speaking Up 								
Freedom of Information Status								
<p>FOI exemptions must be applied to specific information within documents, rather than documents as a whole. Only if the redaction renders the rest of the document non-sensical should the document itself be redacted.</p>	<p>Please tick the appropriate box below:</p> <table border="1"> <tr> <td><input checked="checked" type="checkbox"/></td> <td>A. This document is for full publication</td> </tr> <tr> <td><input type="checkbox"/></td> <td>B. This document includes FOI exempt information</td> </tr> <tr> <td><input type="checkbox"/></td> <td>C. This whole document is exempt under FOI</td> </tr> </table>		<input checked="checked" type="checkbox"/>	A. This document is for full publication	<input type="checkbox"/>	B. This document includes FOI exempt information	<input type="checkbox"/>	C. This whole document is exempt under FOI
<input checked="checked" type="checkbox"/>	A. This document is for full publication							
<input type="checkbox"/>	B. This document includes FOI exempt information							
<input type="checkbox"/>	C. This whole document is exempt under FOI							

Application Exemptions: <ul style="list-style-type: none"> • Prejudice to effective conduct of public affairs • Personal Information • Info provided in confidence • Commercial interests • Info intended for future publication 	IMPORTANT: If you have chosen B above, highlight the information that is to be redacted within the document, for subsequent removal. Confirm to the Trust Secretary, which applicable exemption(s) apply to the whole document or highlighted sections.
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Equality & Diversity impact assessment

Are there concerns that the policy/service could have an adverse impact because of:	Yes	No
Age		X
Disability		X
Sex (gender)		X
Race		X
Sexual Orientation		X
Gender reassignment		X
Religion / Belief		X
Pregnancy and maternity		x

If YES to one or more of the above please add further detail and identify if full impact assessment is required.

Next steps

Freedom to Speak Up Strategy to be launched

Appendices

None

Strategic Objectives supported by this report

Improving Quality	x	Maintaining financial sustainability	
Transforming how cancer care is provided across the Network		Continuous improvement and innovation	x
Research		Generating Intelligence	x

Link to the NHS Constitution

Patients		Staff	
Access to health care		<i>Working environment</i> Flexible opportunities, healthy and safe working conditions, staff support	x
Quality of care and environment	x	<i>Being heard:</i> <ul style="list-style-type: none"> • Involved and represented • Able to raise grievances • Able to make suggestions • Able to raise concerns and complaints 	x
Nationally approved treatments, drugs and programmes			
Respect, consent and confidentiality			
Informed choice		Fair pay and contracts, clear roles and responsibilities	
Involvement in your healthcare and in the NHS		Personal and professional development	
Complaint and redress		Treated fairly and equally	x

TRUST WIDE STRATEGY

**FREEDOM TO SPEAK UP (Raising Concerns)
STRATEGY 2019/2020
DOCUMENT REF:
(Version No. 1.0)**

Name and designation of Strategy author(s)	Linda M Morris - Equality, Diversity & Inclusion Lead/Freedom to Speak Up Guardian Lead
Approved by (committee, group, manager)	Information Governance Board
Approving signature	Minutes of meeting received
Date approved	
Review date	
Review type (annual, three yearly)	Annual
Target audience	All Staff
Links to other strategies, policies, procedures	
Protective Marking Classification	Internal
This document replaces...	

Circulation/Dissemination:

Date added into Q-Pulse	
Date notice posted in the Team Brief	
Date document posted on the intranet	

Issue Date:	Page 1 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No:

Version History:

Date	Version	Author name and designation	Summary of main changes

Contents

1.0 Introduction	4
2.0 Purpose	4
3.0 Scope	6
3.1 Our Vision	6
3.2 Our Strategy	6
3.3 Outcomes and Measures	7
3.4 Monitoring	7
4.0 Responsibilities	8
4.1 Chief Executive.....	8
4.2 Associate Director of Corporate Governance	8
4.3 Non Executive and Executive Directors	8
4.4 Staff/Contractors/Volunteers/Students and Honorary Appointments.....	9
4.5 Trade Union Representatives	9
4.6 Freedom to Speak Up Guardian/Local Guardians	9
4.7 Trust Board.....	9
4.8 Quality Committee	10
5.0 National Guardian Freedom to Speak Up	10
6.0 References	10
7.0 Audit	10

Issue Date:	Page 3 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No:

1.0 Introduction

The Trust is committed to delivering high quality patient services and conducting its business with honesty, openness, candour and integrity, and requires all staff to act within these valued attributes and in an environment which they feel safe in doing so for the benefit of patient, personal and organisational wellbeing.

The Trust is committed to listening to our staff, learning lessons and improving patient care and will not tolerate the harassment or victimization of anyone raising a concern nor will we tolerate any attempt to bully staff into not raising any such concern. Any such behavior is a breach of our values as an organization and could result in disciplinary action.

1.1 Equality, Diversity and Human Rights Statement

The Trust is committed to an environment that promotes equality and embraces diversity and inclusion in its performance as a service provider. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures and processes. This strategy should be implemented with due regard to this commitment.

1.2 Organisational Values and Behaviours

The Trust's Values and Behaviours support the Vision ***'to provide the best cancer care to the people we serve'*** and our Mission ***'To improve health and wellbeing through compassionate, safe and effective cancer care'***.

In order to deliver the Vision and the Mission the Trust has set out the Values & Behaviours that it will demonstrate which are:

- Putting People First
- Passionate about what we do
- Achieving Excellence
- Looking to the future
- Always improving our care

These values and behaviours need to be at the heart of everything we do and have been incorporated into the development of this strategy.

2.0 Purpose

Sir Robert Francis's 'Freedom to Speak Up' review in February 2015 highlighted the need for the creation of the National Guardian and Freedom to Speak Up Guardians at every Trust in England as a 'vital step towards developing the right

Issue Date:	Page 4 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No:

culture and environment for speaking up'. This document sets out the Trust's Freedom to Speak Up vision and strategy.

This document should be read alongside the Trust's Freedom to Speak Up (Raising Concern in the Workplace) Policy. The Trust has adopted the standard integrated strategy which will be reviewed as required to continue to meet national guidance and best practice

3.0 Scope

3.1 Our Vision

We are committed to promoting an open and transparent culture across the organisation to ensure that all members of staff feel safe and confident to speak up. Our Trust Board and senior leadership team will support this agenda by:

- modelling the behaviours to promote a positive culture in the organisation;
- providing the resources required to deliver an effective Freedom to Speak Up function; and
- having oversight to ensure the policy and procedures are being effectively implemented.

Our FTSU Guardian and Local FTSU Guardians have a key role in:

- helping to raise the profile of raising concerns in our organisation
- providing confidential advice and support to staff in relation to concerns they have about patient safety
- providing confidential advice and support to staff in relation the way their concern has been handled.

The Trust is fully engaged with the National Guardian's Office (NGO) and the local network of Freedom to Speak Up Guardians in our region to learn and share best practice.

3.2 Our Strategy

The Trust will take the following actions to deliver this vision:

- implement separate policies, which clearly differentiate between a grievance and raising a (whistleblowing) concern;
- increase effective awareness training for all staff so they are clear about what concerns they can raise and how to raise them;

Issue Date:	Page 5 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No:

- ensure managers are clear about their roles and responsibilities when handling concerns and are supported to do so effectively;
- provide regular communications to all staff (including those permanently employed on a full-time/part-time basis, temporary/ contracted workers and volunteers) to raise the profile and understanding of our raising (whistleblowing) concerns arrangements;
- communicate key findings to staff about the level and type of concerns raised and any resultant actions taken, as is appropriate under the scope of confidentiality;
- share good practice and learning from concerns raised, through a variety of fora, with the key aim of fostering openness and transparency, such as, newsletters, staff briefings, team meetings and the extranet; and
- actively seek the opinion of staff to assess that they are aware of and, are confident in using local processes and use this feedback to ensure our arrangements are improved based on staff experiences and learning.

3.3 Outcomes and Measures by 31 March 2020

1. Analysis of the Annual staff survey results relating to speaking up.
2. Regular review of referrals with other functions involved in the process, for example, Workforce and Organisational Development and Local Counter Fraud Specialist.
3. Increase the number of channels available for staff to raise concerns including Local Guardians and other internal and external routes such as Trade Union Chair.
4. Provide Quarterly FTSU updates for all staff via communication team and extranet.
5. Evidence that investigations are evidence based and led by someone suitably independent in the organisation, producing a report which focuses on learning lessons and improving care.
6. High level findings provided to the Trust Board in conjunction with learning from speaking up within the Trust.
7. Annual review of the effectiveness of the Freedom to Speak Up Policy.

3.4 Monitoring

The Freedom To Speak Up Annual Report will be presented to the Trust Board each year by the Freedom To Speak Up Guardian and the Executive Lead for Freedom to Speak Up (Raising Concerns in the Workplace) which will include:

Issue Date:	Page 6 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No:

- An assessment of the Freedom to Speak Up (Raising Concerns) Policy;
- An overview of the cases reported and the themes identified;
- Benchmarking with other organisations
- An improvement plan for the next 12 months.

4.0 Responsibilities

4.1 Chief Executive

The Chief Executive is ultimately accountable to the Board for the Trust's compliance with Statute and Regulation.

4.2 Associate Director of Corporate Governance

The Associate Director of Corporate Governance is responsible for monitoring this Strategy and the concerns/issues that are raised as a result. If they result in an allegation of fraud the matter will be referred to the Finance Director in the first instance.

4.3 Non Executive and Executive Directors

In the event of a Non-Executive Director receiving concerns, he/she will notify the Associate Director of Corporate Governance as soon as practically possible.

4.4 Staff/Contractors /Volunteers/Students and Honorary Appointments

Any individual who falls into one of the above categories has a responsibility to report any legitimate concerns. Professional staff have a duty under their registration requirements to report any suspected malpractice to their employer and governing bodies. Failure to report such matters will be treated as a serious disciplinary offence and referred to the relevant professional organisations.

4.5 Trade Union Representatives

The role of the Trade Union (TU) is to advise their members of the options open to them and the relevant Trust Policy to follow and to support any employee who wishes to bring a concern to the attention of the Trust and act as an advocate in the first instance.

4.6 Freedom to Speak Up Guardian/Local Guardians

FTSU Guardian/Local Guardians will:

- treat concerns confidentially unless otherwise agreed
- ensure the person raising the concern receives timely support to progress the concern

Issue Date:	Page 7 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No:

- escalate concerns as necessary to the Associate Director of Corporate Governance and/or Board, including any indications that the individual is being subjected to detriment for raising a concern;
- remind the organisation of the need to give individuals timely feedback on how the concern is being dealt with;
- ensure individuals have access to personal support since raising their concern, raising a concern may be stressful;
- offer advice regarding the policy, process and support available;
- keep records of the concern and any resulting actions for feedback to the person raising the concerns;
- use internal mechanisms to promote the policy within the Trust. This may include publicising examples of some of the more general concerns raised and resulting actions taken;
- meet regularly with the Associate Director of Corporate Governance - to explore common themes identified and prepare quarterly reports to the Freedom to Speak Up Guardians Committee, Quality and Safety Committee, Workforce and OD Committee and both quarterly and annual reports to the Trust Board

4.7 Trust Board

Trust Board has overall responsibility for ensuring Raising Concerns at Work cases are dealt with appropriately within the Trust.

4.8 Quality Committee

The Quality Committee will receive quarterly updates on data, trends and themes and any learning outcomes identified. They will also receive an annual report on the implementation of the Policy within the Trust

5.0 National Guardians Freedom to Speak Up

The National Guardian can independently review how staff have been treated having raised concerns where NHS Trusts and Foundation Trusts may have failed to follow good practice, working with some of the bodies listed above to take action where needed.

6.0 References

- Francis Report, “Freedom to Speak Up Review”, February 2015.
- Public Interest Disclosure Act (1998)
- The British Standards Institution (BSI)

Issue Date:	Page 8 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No:

- Whistleblowing Arrangements Code of Practice. Information regarding the Act and Code of Practice is available on the internet.
- Freedom to Speak Up: Raising Concerns (whistleblowing) Policy for the NHS, April 2016.
- Trust Grievance Procedure
- Trust Disciplinary Policy
- Trust Freedom to Speak UP (Raising Concerns) Policy

7.0 Audit

As part of the process for managing Information Governance this policy will be reviewed annually against Data Security and Protection Toolkit to identify key areas for continuous improvement.

Issue Date:	Page 9 of 9	Filename:	Version No:
Author: Linda M Morris	Authorised by:		Copy No: