

Freedom to Speak Up self-review tool for NHS trusts and foundation trusts

East Suffolk and North Essex NHS
Foundation Trust - ESNEFT - Sept 2018

How to use this tool

Effective speaking up arrangements help to protect patients and improve the experience of NHS workers. Having a healthy speaking up culture is evidence of a well-led trust.

NHS Improvement and the National Guardian's Office have published a [guide](#) setting out expectations of boards in relation to Freedom to Speak Up (FTSU) to help boards create a culture that is responsive to feedback and focused on learning and continual improvement.

This self-review tool accompanying the guide will enable boards to carry out in-depth reviews of leadership and governance arrangements in relation to FTSU and identify areas to develop and improve.

The Care Quality Commission (CQC) assesses a trust's speaking up culture during inspections under key line of enquiry (KLOE) 3 as part of the well-led question. This guide is aligned with the good practice set out in the well-led framework, which contains references to speaking up in KLOE 3 and will be shared with Inspectors as part of the CQC's assessment framework for well-led.

Completing the self-review tool and developing an improvement action plan will help trusts to evidence their commitment to embedding speaking up and help oversight bodies to evaluate how healthy a trust's speaking up culture is.

Self review indicator (Aligned to well-led KLOEs)	To what extent is this expectation being met?	What are the principal actions required for development?	How is the board assured it is meeting the expectation? Evidence
Our expectations			
Leaders are knowledgeable about FTSU			
Senior leaders are knowledgeable and up to date about FTSU and the executive and non-executive leads are aware of guidance from the National Guardian's Office.	CEO has a regular one to one with the FTSU. National Guardian direction is discussed and national report commented upon.	National Bulletins are circulated. Case study recommendations are evaluated. Tracker in hand.	FTSU meets at least quarterly with senior Executive Lead and Senior Independent Director to discuss individual FTSU cases followed by appearance before relevant assurance committee.
Senior leaders can readily articulate the trust's FTSU vision and key learning from issues that workers have spoken up about and regularly communicate the value of speaking up.	'Our Trust aims to promote a culture where staff feel able to raise concerns, ideally openly or if they prefer anonymously'	Subject to review. As ESNEFT develops the vision will need to be embedded across the Trust footprint – over 8,000 employees and across 2 major and 6 minor sites	FTSU has a slot on induction which includes short presentation and film. Executive Team are expected to communicate Executive support for those who might speak up.

<p>They can provide evidence that they have a leadership strategy and development programme that emphasises the importance of learning from issues raised by people who speak up.</p>	<p>The Trust has a range of measures developed jointly with staff side colleagues to encourage staff to speak up about their concerns at work.</p>	<p>The Trust Management programme for middle management includes a targeted Raising Concerns brief.</p>	<p>The FTSU personally presents a quarterly report to POD preceded by a pre meet with Executive Lead and SID. Annually he presents to the Board and is questioned on all matters to do with strategy and development.</p>
<p>Senior leaders can describe the part they played in creating and launching the trust's FTSU vision and strategy.</p>	<p>Reflected within the introduction for the Trust Strategy</p>	<p>Strategy will further develop as ESNEFT beds in</p>	<p>The annual report to Board includes a revision of the Trust Vision and strategy. FTSU</p>
<p>Leaders have a structured approach to FTSU</p>			
<p>There is a clear FTSU vision, translated into a robust and realistic strategy that links speaking up with patient safety, staff experience and continuous improvement.</p>	<p>Reflected on FTSU posters displayed throughout the Trust</p>	<p>Further development of the messaging of Speaking up is underway and the ESNEFT intranet will include drop down menus and quick links</p>	<p>Through Main Board meetings POD assurance committee briefings</p>

<p>There is an up-to-date speaking up policy that reflects the minimum standards set out by NHS Improvement.</p>	<p>Policy (Dec 2017) reflects National Guidance</p>	<p>Both IHT (04 July 2017) and CHUFT (23 Sept 20) reflect National Policy with slight difference in introductory paragraph.</p>	<p>Current policy for both Colchester and Ipswich remains extant. ESNEFT speaking up policy endorsed ?? ?? 2018 TBC</p>
<p>The FTSU strategy has been developed using a structured approach in collaboration with a range of stakeholders (including the FTSU Guardian)and it aligns with existing guidance from the National Guardian.</p>	<p>The Trust has developed jointly with staff side colleagues and has included input from Health and wellbeing, Governors NEDs and the Equality and Diversity steering group.</p>	<p>This will need to adapt and embed as ESNEFT develops</p>	<p>Reviewed quarterly by POD. Reviewed annually by Board. Raising Concerns steering group is principle focus for alignment with National Strategy.</p>
<p>Progress against the strategy and compliance with the policy are regularly reviewed using a range of qualitative and quantitative measures.</p>	<p>Through the chair of POD</p>	<p>Quarterly assurance is provided under the 10 principles of FTSU practice as previously proposed by the National Guardians Office.</p>	<p>Reviewed quarterly by POD. Reviewed twice yearly by Main Board</p>

Leaders actively shape the speaking up culture			
All senior leaders take an interest in the trust's speaking up culture and are proactive in developing ideas and initiatives to support speaking up.	Senior leaders are active in questioning the FTSU and welcoming any approaches made by the FTSU to them	This needs to filter from Senior to Middle Management and is an area for improvement	FTSU has been encouraged by the exceedingly positive support given by Executive members with regard to all aspect of Speaking Up.
They can evidence that they robustly challenge themselves to improve patient safety, and develop a culture of continuous improvement, openness and honesty.	OD - Input required from Senior Leaders	OD	OD
Senior leaders are visible, approachable and use a variety of methods to seek and act on feedback from workers.	At Colchester, the senior team "buddied" with wards and were able to do this	Haven't yet established "buddying" for ESNEFT and recently appointed directors have not been buddied	There is currently no board or committee level assurance on the "buddying" process, which is informal
Senior leaders prioritise speaking up and work in partnership with their FTSU Guardian.	OD - Input required from Senior Leaders	OD – difficult to evidence this and particular to Individual Executives	OD

Senior leaders model speaking up by acknowledging mistakes and making improvements.	OD – Input required from Senior Leaders	OD	OD
The board can state with confidence that workers know how to speak up; do so with confidence and are treated fairly.	Workers should know how to speak up and there are multiple methods of doing so.	Evidence would suggest that not all workers are confident in speaking up and there is some evidence that the fear the consequences should they do so. It is assessed that most would	This is an ongoing issue and will be monitored within both the staff Survey and the FFT. For Ipswich figures show that confidence is improving from ?? to ?? for Colchester from ?? to ??
Leaders are clear about their role and responsibilities			
The trust has a named executive and a named non-executive director responsible for speaking up and both are clear about their role and responsibility.	The Director HR and the Senior Independent Director fill this role. Both are aware of their responsibilities	The FTSU has never had an issue with access to either of these individuals	The Board are regularly briefed by both Director HR and SID on these matters
They, along with the chief executive and chair, meet regularly with the FTSU Guardian and provide appropriate advice and support.	In every respect	No issues	Nothing further to add

Other senior leaders support the FTSU Guardian as required.	In every respect	No issues	Example set by the CEO
Leaders are confident that wider concerns are identified and managed			
Senior leaders have ensured that the FTSU Guardian has ready access to applicable sources of data to enable them to triangulate speaking up issues to proactively identify potential concerns.	Whenever the FTSU has requested clarification on supporting evidence this has been provided and support offered.	Triangulation with HR databases could be improved, but has been recognised and is being worked upon	Sharing of information on sensitive issues is a matter for further work
The FTSU Guardian has ready access to senior leaders and others to enable them to escalate patient safety issues rapidly, preserving confidence as appropriate.	In every respect – and on each occasion that the FTSU has had to escalate this has been acted upon immediately	At the Trust Executive level this is not an issue however occasionally at middle management this can stall.	Through POD and Main Board
Leaders receive assurance in a variety of forms			
Workers in all areas know, understand and support the FTSU vision, are aware of the policy and have confidence in the speaking up process.	The FTSU vision is displayed on numerous posters, on the intranet and is reinforced through	Communication, workshops and regular updates on issues raised	Through Executive, NED and Governor walkabouts

	regular communication		
Steps are taken to identify and remove barriers to speaking up for those in more vulnerable groups, such as Black, Asian or minority ethnic (BAME), workers and agency workers	FTSU is a member of both the equality and Diversity Committee and the LGBT Network	Whilst there is always more that could be done there is a system in place that identifies areas of concern	Through the Chair of POD and the Director HR, Staff Governors and the Chair of the LGBT Network
Speak up issues that raise immediate patient safety concerns are quickly escalated	On each occasion that a Patient Safety concern has been raised it has been immediately escalated to the appropriate level.	Current practice is sound.	The Medical Director and the Director of Nursing are the two principle individuals with whom patient safety concerns are raised. Both have immediately actioned any concerns raised
Action is taken to address evidence that workers have been victimised as a result of speaking up, regardless of seniority	If an allegation is made then it is investigated. This is often difficult to pursue but is a recurring issue	Ongoing management training	The staff survey gives a fair indication of how the Trust handles these matters and coupled with the FFT provides an indication of progress

Lessons learnt are shared widely both within relevant service areas and across the trust	This is an area for improvement. Whilst assurance committees are briefed more could be done to share	A wider dissemination needs to be introduced perhaps in the form of a monthly update for ET members	Through POD and main Board
The handling of speaking up issues is routinely audited to ensure that the FTSU policy is being implemented	Through the principle assurance committee POD meeting on a quarterly basis.	Senior members of staff could be more proactive in questioning staff	Through POD and main Board
FTSU policies and procedures are reviewed and improved using feedback from workers	Feedback is welcomed and used. Staff Governors are members of POD and regularly attend and contribute	An annual review of policies and procedures is being introduced	Through POD and main Board
The board receives a report, at least every six months, from the FTSU Guardian.	Quarterly to POD Annually to Board	To be reviewed as ESNEFT embeds new working practices	Through POD and main Board
Leaders engage with all relevant stakeholders			

A diverse range of workers' views are sought, heard and acted upon to shape the culture of the organisation in relation to speaking up; these are reflected in the FTSU vision and plan.	Equality and Diversity Committee, LGBT Network, Staff Governors and others contribute.	An annual FTSU convention open to all, to allow those who want to contribute will be introduced	Through Executive, NED and Governor walkabouts
Issues raised via speaking up are part of the performance data discussed openly with commissioners, CQC and NHS Improvement.	On both CQC inspection visits these matters were discussed in depth	FTSU is available to speak with CQC as and when required	CQC and NHS Improvement feedback
Discussion of FTSU matters regularly takes place in the public section of the board meetings (while respecting the confidentiality of individuals).	Not yet done during Public Board meetings	Added to Board forward planner from November 2018	Main Board
The trust's annual report contains high level, anonymised data relating to speaking up as well as information on actions the trust is taking to support a positive speaking up culture.	Incorporated within Annual report	Potential for more anonymised data to be included	Annual report
Reviews and audits are shared externally to support improvement elsewhere.	Not currently done though FTSU attends Regional meetings to share information	To be reviewed	Through POD

Senior leaders work openly and positively with regional FTSU Guardians and the National Guardian to continually improve the trust's speaking up culture	CEO has given unswerving support to FTSU	Plan in place to invite National Guardian to ESNEFT Public Board	To be included within Board FTSU workshop
Senior leaders encourage their FTSU Guardians to develop bilateral relationships with regulators, inspectors and other local FTSU Guardians	CEO is keen for FTSU to develop these relationships	More work to be done with Regulators and Inspectors. Good relationship with other regional FTSU Guardians	Through Board
Senior leaders request external improvement support when required.	Not yet required	To be reviewed	Board
Leaders are focused on learning and continual improvement			
Senior leaders use speaking up as an opportunity for learning that can be embedded in future practice to deliver better quality care and improve workers' experience.	This is an area that requires improvement	To be reviewed	Board and POD
Senior leaders and the FTSU Guardian engage with other trusts to identify best practice.	FTSU guardian does	Senior Leaders to be encouraged to engage with other Trusts	Board

Executive and non-executive leads, and the FTSU Guardian, review all guidance and case review reports from the National Guardian to identify improvement possibilities.	Whilst ET, NEDs and FTSU meet regularly this invariably involves current cases	In future guidance and case reviews will be examined at these meetings	POD and Board
Senior leaders regularly reflect on how they respond to feedback, learn and continually improve and encourage the same throughout the organisation.	To be reviewed	Improvement required	Board
The executive lead responsible for FTSU reviews the FTSU strategy annually, using a range of qualitative and quantitative measures, to assess what has been achieved and what hasn't; what the barriers have been and how they can be overcome; and whether the right indicators are being used to measure success.	Director HR and SID regularly meet with FTSU Guardian to review strategy	Need to incorporate contribution from staff, Governors and other groupings. Need to develop SMART objectives derived from the strategy.	POD and Board
The FTSU policy and process is reviewed annually to check they are fit for purpose and realistic; up to date; and takes account of feedback from workers who have used them.	See above	Greater requirement for Feedback from staff	POD and Board
A sample of cases is quality assured to ensure:	More cases could be quality assured	There is more work that needs to be done within the	Through Director HR and SID

<ul style="list-style-type: none"> the investigation process is of high quality; that outcomes and recommendations are reasonable and that the impact of change is being measured workers are thanked for speaking up, are kept up to date though out the investigation and are told of the outcome Investigations are independent, fair and objective; recommendations are designed to promote patient safety and learning; and change will be monitored 	<p>This happens in accordance with Policy guidelines</p> <p>This is an area that requires improvement</p>	<p>investigative process and subsequent audits. This will be a topic for discussion at the next Steering Group meeting with a view to the introduction of a viable policy in the near future</p>	
<p>Positive outcomes from speaking up cases are promoted and as a result workers are more confident to speak up.</p>	<p>These could be more widely advertised</p>	<p>Through a positive communications exercise</p>	<p>POD</p>
<p>Individual responsibilities</p>			
<p>Chief executive and chair</p>			
<p>The chief executive is responsible for appointing the FTSU Guardian.</p>	<p>Complete</p>	<p>Complete</p>	<p>NFTR</p>

The chief executive is accountable for ensuring that FTSU arrangements meet the needs of the workers in their trust.	Actioned through Director HR and SID	A consistent theme is the requirement to communicate with staff	Through POD and Board and NED and Governor walkrounds
The chief executive and chair are responsible for ensuring the annual report contains information about FTSU.	Complete	Complete	Annual Report 2016 Annual Report 2017
The chief executive and chair are responsible for ensuring the trust is engaged with both the regional Guardian network and the National Guardian's Office.	Complete	The CEO and Chair encourage the FTSU to attend both Regional and National meetings	Through POD
Both the chief executive and chair are key sources of advice and support for their FTSU Guardian and meet with them regularly.	Both CEO and Chair have been most supportive, throughout	FTSU has never had an issue in finding face to time with either	CEO and Chair to comment
Executive lead for FTSU			

Ensuring they are aware of latest guidance from National Guardian's Office.	Copied in to all National Bulletins and briefed on Regional and National Meetings	There is much guidance to be absorbed by an ever busy ET	Director HR to comment
Overseeing the creation of the FTSU vision and strategy.	All necessary guidance and support is given	The formation of ESNEFT will demand a review of policy and processes	Board
Ensuring the FTSU Guardian role has been implemented, using a fair recruitment process in accordance with the example job description and other guidance published by the National Guardian.	Complete in accordance with National Guardian guidance	Complete	Current FTSU was a previous NED, appointment of NED relinquished on assumption of FTSU
Ensuring that the FTSU Guardian has a suitable amount of ring fenced time and other resources and there is cover for planned and unplanned absence.	FTSU is stand alone and has no other responsibilities	Need to establish cover on a more solid basis. Currently Company Secretary.	Director of HR and SID

Ensuring that a sample of speaking up cases have been quality assured.	All cases discussed	More in depth analysis needs to be incorporated	Through POD though requirement exists to develop independent quality assurance maybe through external third party.
Conducting an annual review of the strategy, policy and process.	Director HR has the lead	Annual review through an annual FTSU workshop	POD
Operationalising the learning derived from speaking up issues.	This is an area that requires improvement	This needs to be further evaluated	POD and Board
Ensuring allegations of detriment are promptly and fairly investigated and acted on.	This occurs and response to allegations has been prompt	Whilst response has been prompt there is a need to formalise this process	The staff survey gives a fair indication of how the Trust handles these matters and coupled with the FFT provides an indication of progress

Providing the board with a variety of assurance about the effectiveness of the trusts strategy, policy and process.	This is done through the principle assurance committee (POD)	This needs to be further evaluated	POD and Board
Non-executive lead for FTSU			
Ensuring they are aware of latest guidance from National Guardian's Office.	Copied in to all National Bulletins and briefed on Regional and National Meetings	There is much guidance to be absorbed by an ever busy ET	SID to comment
Holding the chief executive, executive FTSU lead and the board to account for implementing the speaking up strategy.	SID to comment	SID to comment	SID to comment
Robustly challenge the board to reflect on whether it could do more to create a culture responsive to feedback and focused on learning and continual improvement.	SID to comment	SID to comment	SID to comment

Role-modelling high standards of conduct around FTSU.	SID to comment	SID to comment	SID to comment
Acting as an alternative source of advice and support for the FTSU Guardian.	SID to comment	SID to comment	SID to comment
Overseeing speaking up concerns regarding board members.	SID to comment	SID to comment	SID to comment
Human resource and organisational development directors			
Ensuring that the FTSU Guardian has the support of HR staff and appropriate access to information to enable them to triangulate intelligence from speaking up issues with other information that may be used as measures of FTSU culture or indicators of barriers to speaking up.	FTSU has the full support of HR staff and works on a day to day basis with Divisional directors	There is room for improvement with regard to triangulating intelligence	POD and Director HR
Ensuring that HR culture and practice encourage and support speaking up and that learning in relation to workers' experience is disseminated across the trust.	HR staff are fully aware of the requirement placed on them and are supportive in every way to the FTSU	More work needs to be done to disseminate workers experience across the Trust	POD and Director HR

Ensuring that workers have the right knowledge, skills and capability to speak up and that managers listen well and respond to issues raised effectively.	This is an ongoing process	There is more work to do on this issue	POD and Director HR
Medical director and director of nursing			
Ensuring that the FTSU Guardian has appropriate support and advice on patient safety and safeguarding issues.	Medical Director and Director of Nursing have been particularly supportive, offer advice and are always prepared to listen to the FTSU	This is not an area of concern	Board
Ensuring that effective and, as appropriate, immediate action is taken when potential patient safety issues are highlighted by speaking up.	Both Medical Director and Director of Nursing have acted immediately that a Patient Safety concern has been brought to their attention	This is not an area of concern	Board

Ensuring learning is operationalised within the teams and departments that they oversee.	There is more work to do here	Improvement needs to be formalised	Board
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