

Board of Directors

Thursday, 01 November 2018

Report Title:	Freedom to Speak Up Guardian (FTSUG)
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Previously considered by:	POD

Approval
 Discussion
 Information
 Assurance

Executive summary

This brief includes an update on Concerns raised in Q1 & Q2, a short brief on the potential use of Freedom to Speak Up Ambassadors within ESNEFT and the latest version of the Freedom to Speak Up Self Review Tool.

With regards to concerns raised in Q1 & Q2 there have been 21 of significance across ESNEFT sites. These have been briefed to the lead NED and Director HR and individually to relevant Executive leads. They include allegations of bullying and harassment, working relationship breakdowns, poor behaviour in treatment of staff and a number of patient safety concerns. In almost every case the individual who has raised the concern had done so with the Freedom to Speak Up Guardian because the starting point for their concern is their immediate line management. In some cases individuals have felt intimidated or have identified their manager as the source of their concern. The staff survey will be a useful pointer with regard to trends however Freedom to Speak Up and Bullying & Harassment have been included as one of the workshops for the Well Led Development Day on the 2nd November. This should generate discussion and allow an ESNEFT vision to be debated amongst the senior leadership team.

The National Guardians Office is encouraging all Trusts to support the Freedom To Speak Up Guardian by developing a local network of ambassadors. ESNEFT is committed to creating an open and transparent culture where staff feel able to raise any concerns or worries they might have, and that they are appropriately supported in doing so. This matter was discussed briefly at POD and has also been raised within the margins of the Equality and Diversity Steering Group. In essence the aspiration to ensure staff have easy access to a trusted colleague requires additional staff members to be identified as FTSU Ambassadors. Further information is included within this brief.

A Freedom to Speak up review tool (attached) has been produced by NHS I with input from the National Guardians Office. This is a detailed document which will be used by NHS I to ensure compliance from Trusts with direction issued by the National Guardians Office. As a Trust we are compliant with National Guidance however there are a number of areas that as a result of our merger will require tightening up. This is very much a Board tool and Board members need to acquaint themselves with the detail and ensure that they understand their responsibilities.

It was agreed that the Raising Concerns Steering Group would be resurrected to offer guidance and support to the FTSU Guardian, with a reformed membership that more accurately reflected the needs of the Trust, rather than the ad hoc arrangements of the past. A meeting is planned for the first week in November and will normally follow on from POD.

Action Required of the Committee

To acknowledge this report and comment on the Self-Review Tool.

Link to Strategic Objectives (SO)

**Please
tick**

SO1	Improve quality and patient outcomes	<input checked="" type="checkbox"/>
SO2	Provide better value for money	<input type="checkbox"/>
SO3	Sustain and improve access to services that meet the needs of the population	<input type="checkbox"/>
SO4	Deliver a sustainable, skilled workforce	<input type="checkbox"/>

Risk Implications for the Trust <i>(including any clinical and financial consequences)</i>	Click here to enter text
Trust Risk Appetite	Quality: The board will take minimal risks when it comes to patient safety, patient experience or clinical outcomes. Its tolerance for risk taking will be limited to decisions where the impact is low and the potential mitigations are strong

Legal and regulatory implications <i>(including links to CQC outcomes, Monitor, inspections, audits, etc)</i>	Freedom to speak up forms part of the Well-led framework and is overseen by NHSI, the CQC and the National Guardian's office. The self-review tool is based on the expectations they have set for NHS Boards
Financial Implications	None noted
Equality and Diversity	None noted

1. Freedom to Speak Up - Ambassadors – Options Paper October 2018

1.1 The 2017 Freedom to Speak Up Guardian survey highlighted 10 principles that should be used when implementing the role. Amongst those principles under the sub-heading of 'Reach' was an aspiration that The Freedom to Speak up message should reach everyone and that developing a local network of ambassadors would help with this. ESNEFT is committed to creating an open and transparent culture where staff feel able to raise any concerns or worries they might have, and are appropriately supported in doing so. With this in mind, to support the Trust's Freedom to Speak Up Guardian and to ensure staff have easy access to a trusted colleague, the introduction of 'Ambassadors' should be scoped, which would also pull the trust into line with recommendations from the National Guardians Office.

1.2 This matter was discussed briefly at the WDEC and POD and has also been raised within the margins of the Equality and Diversity Steering Group. Specifically there was debate over the appointment of E&D 'Champions' who as volunteers would assist in spreading the word and acting as local focal points for Equality and Diversity issues. Whilst Freedom to Speak up and Equality and Diversity are separate issues in their own right there is obviously a degree of overlap and in some cases those matters raised as a concern with the Freedom to Speak Up Guardian will be founded on a failure to respect an individual's diversity or a recognition of the need for an equality based process.

1.3 Of particular relevance though was the observation that the type of individual who might offer their services as a 'Champion' would be exactly the same type of individual who might put themselves forward as an 'Ambassador'. There are clearly a limited number of these people within the Trust and we might be reaching the stage of 'volunteer exhaustion'. It might be that rather than rely on volunteers a different approach be adopted. If this resulted in a mix between volunteers and

appointed individuals then this would not necessarily be a bad thing but it would ensure that all areas of the Trust were covered.

1.4 By their very nature Ambassadors should be identified for their integrity and approachability. They do not necessarily require lengthy specialist training but would benefit from a short training package. They would be expected to fulfil their role during their normal working day but it is not thought that the appointment would be overly time consuming. What ESNEFT aspires to are those who are caring and effective listeners, have high level of trust and integrity, have the clarity of, and ability to work within, relevant boundaries and have knowledge of relevant ESNEFT policies and procedures in order to signpost employees appropriately. We would probably want to start with a small group of Ambassadors from clinical and non-clinical staff, reflective of our diverse workforce.

2. What would the job entail?

2.1 We would expect an ambassador to.

- Be a point of contact for staff to listen to their concern/s
- Provide immediate support and signposting for staff members raising concerns, advising them of their options and helping them determine the best course of action
- Act as the interface between the staff member in cases where they wish to remain anonymous, in consultation with the Freedom to Speak up Guardian
- Feedback concerns raised with them to the Freedom to Speak up Guardian
- Attend initial training sessions and quarterly meetings with other Listeners and the Freedom to Speak up Guardian
- Champion a culture where raising concerns becomes “the norm”
- Support staff in their work areas
- Contribute to creating a culture of openness and honesty
- Role model the Trust values and behaviour standards
- Maintain confidentiality and discretion

3. Time Commitment

3.1 Attendance at a 1 hour monthly forum with other advocates, run by the Freedom to Speak Up Guardian to include bite-size skills development/refreshers.

3.2 There is no specific time allocation for this role, with an expectation for reasonable inclusion as part of the Listener’s day job with the support of their line manager.

4. Appoint or Volunteer

4.1 Rather than have to ask for volunteers to fill the appointment of ‘ambassador’ it might be that appointing an individual in separate areas of the Trust might be more structured and more likely to produce the results that we aspire too. We want to provide an opportunity for those who for whatever reason have found it difficult to raise a concern, to approach an individual within ESNEFT who they readily identify within their particular part of the organisation.

4.2 Having an additional responsibility as a FTSU ambassador should be neither time consuming nor a particularly onerous duty and would certainly offer more local visible support to our staff. The

ambassador would need to be of sufficient profile to be readily identified by those within their particular Division or Department. They would be expected to act as a post box for individuals who might not have the confidence to contact the FTSU directly. They would not be required to be part of the investigative process and would predominantly be there as a source of advice.

- 4.3 It could be left to the Division or Department to identify who they might feel most appropriate. Of course anyone who wished to volunteer should be encouraged. Providing the individual met the characteristics expected then their appointment would only enhance the capability that we aspire to. A volunteer being the first choice but an insistence that should no volunteer be forthcoming that an individual was appointed.

5. Use Contact officers

- 5.1 Colchester currently includes Contact Officers within its Bullying and Harassment action plan. These are volunteers from across the hospital spectrum, all volunteers who are trained to support staff who have concerns about Bullying and Harassment. They are able to listen, give advice and support. Contact Officers are not advocates and do not represent or act on behalf of individual members of staff
- 5.2 They will not normally have a role in formal investigations of complaints as discussions between them and a member of staff are confidential. There may however be occasions where they need to seek advice from Human Resources e.g. in a serious case or to seek further clarification on the Trust Policy. Replacing them with FTSU ambassadors would seem a logical step that would encompass all issues of Bullying and Harassment as well as raising concerns issues.

6. Training

- 6.1 The training requirement placed on these members of staff would not be onerous. This could be conducted in-house by the current Freedom to Speak guardian and there is a bespoke Train the Trainer package provided by the National Guardians office. A twice yearly meeting would ensure that all ambassadors within the Trust were sighted on any changes to policy and the above all the focus would be pitched at the right level.
- 6.2 Two half-day training sessions will be provided to include national and local information on speaking up and skills-based sessions to include coaching and listening skills