

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

July 2019

Leicestershire Partnership NHS Trust
Review Date – December 2020



How to use this tool

This is a tool for the boards of NHS trusts and foundation trusts to accompany the [Guidance for boards on Freedom to Speak Up in NHS trusts and NHS foundation trusts](#) (cross referred with page numbers in the tool) and the [Supplementary information on Freedom to Speak Up in NHS trusts and NHS foundation trusts](#) (cross referred with section numbers).

We expect the executive lead for Freedom to Speak Up (FTSU) to use the guidance and this tool to help the board reflect on its current position and the improvement needed to meet the expectations of NHS England and NHS Improvement and the National Guardian's Office.

We hope boards will use this tool thoughtfully and not just as a tick box exercise. We also hope that it is done collaboratively among the board and also with key staff groups – why not ask people you know have spoken up in your organisation to share their thoughts on your assessment? Or your support staff who move around the trust most but can often be overlooked?

Ideally, the board should repeat this self-reflection exercise at regular intervals and in the spirit of transparency the review and any accompanying action plan should be discussed in the public part of the board meeting. The executive lead should take updates to the board at least every six months.

It is not appropriate for the FTSU Guardian to lead this work as the focus is on the behaviour of executives and the board as a whole. But getting the FTSU Guardian's views would be a useful way of testing the board's perception of itself. The board may also want to share the review and its accompanying action plan with wider interested stakeholders like its FTSU focus group (if it has one) or its various staff network groups.

We would love to see examples of FTSU strategies, communication plans, executive engagement plans, leadership programme content, innovative publicity ideas, board papers to add them to our Improvement Hub so that others can learn from them. Please send anything you would specifically like to flag to nhsi.ftsulearning@nhs.net

NHSI are happy to support trusts on any aspect of the review process or the improvement work it reveals. Please get in touch with NHSI's Whistleblowing support team via rachel.clarke31@nhs.net

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| Behave in a way that encourages workers to speak up | | | | | |
| <p>Individual executive and non-executive directors can evidence that they behave in a way that encourages workers to speak up. Evidence should demonstrate that they:</p> <ol style="list-style-type: none"> 1. understand the impact their behaviour can have on a trust's culture 2. know what behaviours encourage and inhibit workers from speaking up 3. test their beliefs about their behaviours using a wide range of feedback 4. reflect on the feedback and make changes as necessary 5. constructively and compassionately challenge each other when appropriate behaviour is not displayed | Section 1 p5 | Fully – Dec 2020 | Dec 2021 | <ol style="list-style-type: none"> 1. Executives present at all Corporate Induction sessions explicitly presenting their commitment to a positive and open culture. They include in this what the Trust vision and values mean to them and how they uphold the leadership behaviours as part of the Step up to Great Strategy. (This has been adapted through virtual presentations due to COVID 19). The CEO delivers weekly video during COVID-19 which regularly references to values/behaviours. 2. The Board have been involved at all stages of the culture project 'Our Future, Our Way' – including the co-production of the Leadership Behaviours framework which identified behaviours that may encourage or conversely inhibit workers from speaking up. 3. Video messages, webchats, all staff listening events and all staff communications include positive encouragement to speak up. Specific listening events have also taken place to understand where there may be barriers to speaking up in order to remove these enabling staff to speak up openly for example: BAME listening events and Disability awareness events Executive and Non-Executive Directors are visible to frontline staff via Boardwalks and drop-ins. Staff are encouraged to speak openly and feedback is brought into Board and Committee meetings and escalated to the Directorate as required. Due to COVID 19 these have not happened since March 2020 however, Operational Executives, the Medical director and Director of Nursing have been visible and present in the clinical services. The organisation encourages an open culture of feedback reflected through complaints/compliments and Friends and Family programme 4. Positive messaging from members of SLT directly related to feedback from 2018 staff survey highlighting the actions taken to improve response to specific questions/issues Staff voice at Board meetings encourages staff to tell the Board what it is like to work in LPT. 5. Leadership behaviours for all - The introduction of specific model (CUBE) to facilitate giving and receiving | |

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| | | | | feedback is included in the leadership behaviours programme to assist all staff across the workforce to challenge each other in a constructive and compassionate manner when appropriate behaviour is not displayed. | |
| Demonstrate commitment to FTSU | | | | | |
| <p>The board can evidence their commitment to creating an open and honest culture by demonstrating:</p> <ol style="list-style-type: none"> 1. there are a named executive and non-executive leads responsible for speaking up 2. speaking up and other cultural issues are included in the board development programme they welcome workers to speak about their experiences in person at board meetings 3. the trust has a sustained and ongoing focus on the reduction of bullying, harassment and incivility 4. there is a plan to monitor possible detriment to those who have spoken up and a robust process to review claims of detriment if they are made 5. the trust continually invests in leadership development 6. the trust regularly evaluates how effective its FTSU Guardian and champion model is 7. the trust invests in a sustained, creative and engaging communication strategy to tell positive stories about speaking up. | <p>p6 Section 1 Section 2 Section 3</p> | <p>Fully – Dec 2020</p> | <p>Dec 2021</p> | <ol style="list-style-type: none"> 1. Executive Lead and Non-executive lead both named in Trust policy including contact details and quarterly FTSU up-date meetings take place with CEO, Chair, NED and FTSUG (Records available) 2. Freedom to Speak Up review included as a reflection tool and assurance mechanism as part of the comprehensive Trust board development programme in Dec 2020. Other aspects of the LPT culture work have been presented at a number of Board Development sessions as an integral part of the Step Up To Great strategy. Work to improve our culture has commenced with the completion of the discovery and design phase of the 'Our Future, Our Way' programme. 9 priorities (A Clear Vision, Leadership, Valuing One Another, No Bullying, Blame-free Culture, Compassionate Policies, Meaningful Data, Remove Silo Working and Supportive Appraisals) have been identified and each priority has two board members supporting it. Work is progressing across all priorities and there are a number of final outcomes including the publication of a clear LPT vision, co-produced statement of Leadership Behaviours (booklet and training packages including giving and receiving feedback), extended membership of the senior leadership forums, large staff engagement and celebration sessions, and supportive appraisals. Work has started on creating a Just and Learning culture and this will be supported further through the development of compassionate policies. Staff are enabled to present their experiences personally at Trust board to support understanding and learning. LPT has 5 active Staff Support Networks and each one has an executive sponsor. Staff are invited to share their lived experience – both positive and negative experiences are acknowledged and valued as a mechanism to promote improvement. 3. FTSU Guardian is a member of the Anti-Bullying and Harassment Service (ABHS) help-line focus group | |

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| | | | | <p>although meetings have been paused currently as data from the trust wide LiA event around B&H is analysed and interpreted to develop future action planning and next steps phase of the No Bullying priority.</p> <p>4. Regular meetings between HR and FTSU guardian to ensure detriment is not experienced by staff after speaking up. Detriment can be reported by those who speak up directly or be observed by another party (NGO guidelines)</p> <p>5. The Trust has a leadership and development framework offer available for staff and this provides opportunities for leadership growth through the Leading Together – SL Forums (now open to Band 7 and above), the line manager pathway, talent management and Trust wide or local engagement sessions relating to compassionate conversations (enhanced risk assessments and specific key priorities associated with WDES and WRES) An intrinsic part of the 'Step Up to Great' strategy is the philosophy of collective leadership and this is embedded through the Leadership Behaviours which is further embedded in the messaging 'It starts with me'. This builds on the trust values introduced in the induction programme and highlighted in the Trust values video.</p> <p>6. The Audit and Assurance Committee evaluate the FTSG and FTSU Partners model annually in line with the national requirements - NHS Audit Committee Handbook - Chapter 5: Working with Other Committees, Auditors and Regulators (5.7)</p> <p>7. FTSU communication strategy includes monthly articles relating to FTSU matters in the staff newsletter and communications via social media platforms identifying positive stories about speaking up as appropriate.</p> | |

Have a strategy to improve your FTSU culture

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| <p>The board can evidence it has a comprehensive and up-to-date strategy to improve its FTSU culture. Evidence should demonstrate:</p> <ol style="list-style-type: none"> 1. as a minimum – the draft strategy was shared with key stakeholders 2. the strategy has been discussed and agreed by the board 3. the strategy is linked to or embedded within other relevant strategies 4. the board is regularly updated by the executive lead on the progress against the strategy as a whole 5. the executive lead oversees the regular evaluation of what the strategy has achieved using a range of qualitative and quantitative measures. | P7 Section 4 | Fully – Dec 2020 | Dec 2021 | <ol style="list-style-type: none"> 1. There is no individual FTSU strategy as FTSU is implicit in the LPT Step Up to Great strategy and Trust Vision - OFOW engagement events included staff, service users, volunteers and stakeholders who were consulted through focus groups to identify 9 priority areas to help improve the culture at LPT. Change Champions continue to support the action plans relating to each priority linking back into the key stakeholders and staff groups as appropriate. 2. The Step up to Great strategy was discussed and agreed by the Board. 3. FTSU messages are an intrinsic part of the Starts With Me - Leadership Behaviours and speaking up is recognisable and embedded within the indicators across all themes. FTSU messages are included in leadership development programmes including Leading Together and the enhanced training for managers relating to compassionate conversations, supportive management behaviours, appraisals and supervision. 4. The Board receives a report from the Executive Lead and FTSUG twice per year and FTSU. The Quality Assurance Committee receives a report from the FTSUG twice per year. Quarterly reports to the Strategic Executive Board (SEB) commencing Jan 2020 Annual presentation to the Audit Committee to provide assurance on the effectiveness of the policy and process of FTSU within the trust. 5. Annual review of LPT self-review document which is jointly prepared by the FTSUG, CEO and Board members as part of Board Development session. <p>Evaluation methods</p> <ul style="list-style-type: none"> • Monthly 1:1 meeting with CEO • Quarterly Meetings with CEO, Chair, NED and FTSUG • Quarterly data reports to NGO (includes number of cases, open or anonymous reporting method, patient safety concern, bullying and harassment and staff group and feedback as to whether person would speak up again) • National Staff Survey results | |

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| | | | | <ul style="list-style-type: none"> • FTSU index, • FFT (Friends and Family Test) • Model Hospital (Dec 2020) • Feedback from uLearn - Local eLearning module • Individual feedback to FTSUG • CQC staff focus groups <p>Making sure staff are empowered to speak up and ensuring that when they do, their concerns and contributions will be listened to is a recurring theme within the WE ARE THE NHS: People Plan for 2020/2021. FTSUG is linking in with OD and HR colleagues to support this aspect of the LPT People Plan in the draft stage to make sure speaking up is business as usual and implicit across all aspects of the plan.</p> | |

Support your FTSU Guardian

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| <p>The executive team can evidence they actively support their FTSU Guardian. Evidence should demonstrate:</p> <ol style="list-style-type: none"> 1. they have carefully evaluated whether their Guardian/champions have enough ring fenced time to carry out all aspects of their role effectively 2. the Guardian has been given time and resource to complete training and development 3. there are regular meetings between the Guardian and key executives as well as the non-executive lead. 4. there is support available to enable the Guardian to reflect on the emotional aspects of their role 5. individual executives have enabled the Guardian to escalate patient safety matters and to ensure that speaking up cases are progressed in a timely manner 6. they have enabled the Guardian to have access to anonymised patient safety and employee relations data for triangulation purposes 7. the Guardian is enabled to develop external relationships and attend National Guardian related events | <p>p7 Section 1 Section 2 Section 5</p> | <p>Fully – Dec 2020</p> | <p>Dec 2021</p> | <ol style="list-style-type: none"> 1. FTSU Guardian works 0.9 WTE in the role There are currently 23 FTSU Partners across the Trust each having received core training and ongoing development opportunities within the role. The Partners are allowed time within their normal role to extend the reach of the FTSU messages within their circle of influence and assist colleagues to access support through appropriate signposting. 2. FTSUG has completed all training to the required level and attended development sessions as appropriate. 3. There are regular meetings between the FTSUG and key executives – <ul style="list-style-type: none"> • Monthly 1:1 meetings between FTSU guardian and Executive lead • Monthly 1:1 between FTSU guardian and Director of OD & HR • Quarterly meeting with CEO, Chair, NED and FTSU 4. Formal meetings provide an opportunity for reflection and additional support if requested. FTSU has access to other pastoral support such as AMICA, Chaplaincy and Occupational Health. 5. The FTSUG is enabled to engage with Director of Nursing, Community Health Service, Families, Young People & Children's Service and Learning Disability Service, Mental Health Directorate and the Medical Director to escalate patient safety matters ensuring these cases are progressed in a timely manner when required 6. Access to anonymised data is provided on request to support case progression and triangulation purposes. 7. FTSUG is supported to actively participate in the Midlands regional network and attends development sessions part of the NGO's regional training offer. FTSUG links with Northamptonshire Healthcare Foundation Trust (NHFT) as 'buddy' organisation. FTSUG provides 'buddy' support for FTSUG's in other primary care services including Defense Primary Healthcare (MOD) and the Leicestershire and Rutland Local Dental Committee (LDC) and Nottinghamshire MH Trust as per NGO guidance. | |

Be assured your FTSU culture is healthy and effective

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| <p>Evidence that you have a speaking up policy that reflects the minimum standards set out by NHS Improvement. Evidence should demonstrate:</p> <ol style="list-style-type: none"> 1. that the policy is up to date and has been reviewed at least every two years 2. reviews have been informed by feedback from workers who have spoken up, audits, quality assurance findings and gap analysis against recommendations from the National Guardian. | <p>P8 Section 8 National policy</p> | <p>Fully – Dec 2020</p> | <p>Dec 2021</p> | <ol style="list-style-type: none"> 1. Freedom to Speak Up: Raising Concerns (Whistleblowing) policy updated in January 2019. This was circulated to the Senior Management Teams, Staff-side and adopted at the Workforce and Wellbeing Group 2. NHS Improvement was expected to publish an updated policy template in early 2020. This is now expected in early 2021. It is recommended that the LPT policy be reviewed in Jan 2021 and then updated based on feedback from :- <ul style="list-style-type: none"> • FTSU Partners • Staff who have spoken up • Staff-side representatives • HR colleagues • Patient Safety Team • Communications | <p>Stretch Action – Review the Freedom to Speak Up: Raising Concerns (Whistleblowing) policy in Q4 2020-21</p> |
| <p>Evidence that you receive assurance to demonstrate that the speaking up culture is healthy and effective. Evidence should demonstrate:</p> <ol style="list-style-type: none"> 1. you receive a variety of assurance 2. you map and assess your assurance to ensure there are no gaps and you flex the amount of assurance you require to suit your current circumstance 3. assurance in relation to FTSU is appropriately triangulated with assurance in relation to patient experience/safety and worker experience. 4. you have gathered further assurance during times of change or when there has been a negative outcome of an investigation or inspection 5. you evaluate gaps in assurance and manage any risks identified, adding them to the trust's risk register where appropriate. | <p>P15 Section 6</p> | <p>Fully – Dec 2020</p> | <p>Dec 2021</p> | <ol style="list-style-type: none"> 1. To demonstrate that the speaking up culture is healthy and effective the Board receive assurance through a variety of means. 2. The Board require that FTSU reporting is embedded within and mapped across the LPT Governance Framework. This necessitates the FTSU report to be presented to the Board and to QAC on an alternate quarterly programme to ensure assurance is provided at level 1 committees. These reports routinely include qualitative narrative on identified themes and trends and numeric data in respect of: <ul style="list-style-type: none"> • Case figures reported to NGO(quarterly) • Nat. Staff Survey comparisons (annual) • FTSU Index • Model Hospital (from Dec 2020) • CQC feedback and action plan • Comparative local data on case number 3. Speaking Up is also an agenda item at the SEB, SWC and PSIG quarterly within the existing rotation where themes and trends are highlighted and triangulated (see examples below) <ul style="list-style-type: none"> • Quality summits have taken place in relation to Agnes Unit, discussions as part Equality, Diversity and Inclusion (WRES and WDES action plan) • There have been follow-up communications and | <p>Stretch Action – Internal Case review proposed for Q1 2021-22</p> |

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| | | | | <p>engagement to support staff as the new models of work is embedded (admissions ward BMHU).</p> <ul style="list-style-type: none"> Quality summit with Director of HR, Equality Lead, Head of OD & FTSU Guardian <p>4. Staff engagement sessions have been held in specific areas that are experiencing change or pressures. Examples are Agnes Unit, BMHU and Mill Lodge. In addition there have been enhanced engagement events for Black, Asian and Minority Ethnic groups and to raise awareness of disability.</p> <p>5. FTSUG to share themes and highlight trends monthly providing opportunity to triangulate data with Patient Safety Team, Complaints and legal services.(from Dec 2020) Regular meetings with Patient Experience Lead, Patient Safety Lead and Workforce and Wellbeing Group creating ongoing dialogue, evaluate gaps in assurance to ensure potential risks are identified and added to the trusts risk register.</p> | |
| The board can evidence the Guardian attends board meetings, at least every six months, and presents a comprehensive report. | P8 Section 7 | Fully – Dec 2020 | Dec 2021 | <p>The requirement for the presentation of the FTSU report is acknowledged and agreed by the Board and is included in the Governance Framework.</p> <p>The six monthly report includes numeric data:</p> <ul style="list-style-type: none"> Nat. Staff Survey comparisons (annual) Case figures reported to NGO(quarterly) FTSU survey (annual) FTSU Index Model Hospital <p>Qualitative narrative also provided</p> <p>Board paper authored and presented at the public section of Trust Board in person by the FTSU guardian in January, and July 2020 as evidenced by Board minutes. FTSUG to attend Board development session in December 2020 to prepare evaluation with Board prior to presenting paper at Board meeting Dec 2020</p> | |
| The board can evidence the FTSU Guardian role has been implemented using a fair recruitment process in accordance with the example job description (JD) and other guidance published by the National Guardian. | Section 1 NGO JD | Fully – Dec 2020 | Dec 2021 | FTSU guardian recruited through open recruitment process (January 2019) following 2 year secondment to role | |

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| The board can evidence they receive gap analysis in relation to guidance and reports from the National Guardian. | Section 7 | Fully – Dec 2020 | Dec 2021 | <p>Most recent case review reports highlighted and embedded within the FTSU Board report – NGO updates section.</p> <p>Published case review reports discussed with relevant Directors and Senior Managers to share learning and highlight best practice. Further focus identified to appropriate work areas where necessary for example Human Resources (HR), Equality, Inclusion and Diversity (EDI).</p> <p>Spreadsheet has been produced and held by FTSUG to record findings, comments and recommendations from NGO case reviews. This is to be used to identify LPT actions/response. The data is currently being reviewed retrospectively for case reviews pre 2020. Recent gap analysis from review of Whittington Healthcare (September 2020) with Assistant Director of HR & OD and actions taken forward.</p> | |
| Be open and transparent | | | | | |
| The trust can evidence how it has been open and transparent in relation to concerns raised by its workers. Evidence should demonstrate: 1. discussion at the public board | P9 | Fully – Dec 2020 | Dec 2021 | <ol style="list-style-type: none"> 1. FTSU Board report presented and discussed openly at the Public board. 2. FTSU meetings with CQC as requested with open | |

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| <ul style="list-style-type: none"> 2. discussion with relevant oversight organisation 3. discussion within relevant peer networks 4. content in the trust's annual report 5. content on the trust's intranet website 6. welcoming engagement with the National Guardian and her staff | | | | <p>access to local CQC inspector. FTSU report is also presented to Clinical Quality Review Group (CQRG)</p> <ul style="list-style-type: none"> 3. Themes shared with staff side colleagues at Joint Staff Consultative and Negotiating Committee (JSCNC) and directorate - Joint Staff Consultative Forum (JSCF) FTSUG attends all staff support network meetings liaising regularly with the lead advocates and works closely with the Equality, Diversity and Inclusion Team supporting listening events as appropriate and has strong links with our local WRES Expert 4. Content on FTSU is included in the trust's annual report and Quality Account 5. Dedicated page to Freedom to Speak Up on the staff intranet eSource including links to stand alone documents :- policy, leaflets, flowcharts, and 5 steps approach information when responding to concerns 6. National FTSUG Dr.Hughes was welcomed to LPT and NHFT to celebrate Speak Up Month in October and celebrate the role of the FTSU Partners | |
| Individual responsibilities | | | | | |
| The chair, chief executive, executive lead for FTSU, Non-executive lead for FTSU, HR/OD director, medical director and director of nursing should evidence that they have considered how they meet the various responsibilities associated with their role as part of their appraisal. | Section 1 | Fully – Dec 2020 | Dec 2021 | <p>Senior leaders comply with requirements of annual appraisal identifying evidence to meet the various responsibilities associated with their role including culture and leadership behaviours as part of the revised appraisal expectations and 'Step Up to Great' strategic plan.</p> <p>The CEO and Chair have received 360 feedback from the board and stakeholders as part of their appraisal.</p> | |