

Trust Board – 25th July 2023

Freedom to Speak Up: half-yearly report.

The Freedom to Speak Up (FTSU) guardian plays a crucial role in the Leicestershire Partnership NHS Trust by collaborating with the trust leadership teams. Our primary objective is to promote a more transparent and open work environment where all staff members feel encouraged and empowered to voice their concerns without fear of reprisal. This role encompasses two main aspects: reactive work and proactive work.

Reactive work involves supporting staff members who choose to speak up in order to enhance patient care and improve the overall staff experience. The FTSU guardian provides support, guidance, and advocacy to these individuals, ensuring their concerns are addressed appropriately.

Proactive work entails raising awareness and instilling a culture where speaking up is considered normal and expected. The FTSU guardian actively promotes and reinforces the core messages of the FTSU initiative, aiming to create an environment where speaking up becomes a regular practice.

This report serves to provide assurance in both of these areas by assessing the effectiveness of the FTSU guardian's efforts in supporting staff members who speak up and in fostering a culture of open communication. It aims to demonstrate that speaking up is valued and that the trust is committed to addressing concerns in a timely and appropriate manner.

Purpose

This report aims to provide the Board with an update on the Freedom to Speak Up (FTSU) activity during Q4 2022-2023 and Q1 of 2023/24. The report is structured in accordance with the guidelines outlined in 'Freedom to Speak Up: [A guide for leaders in the NHS](#)' and is divided into three parts.

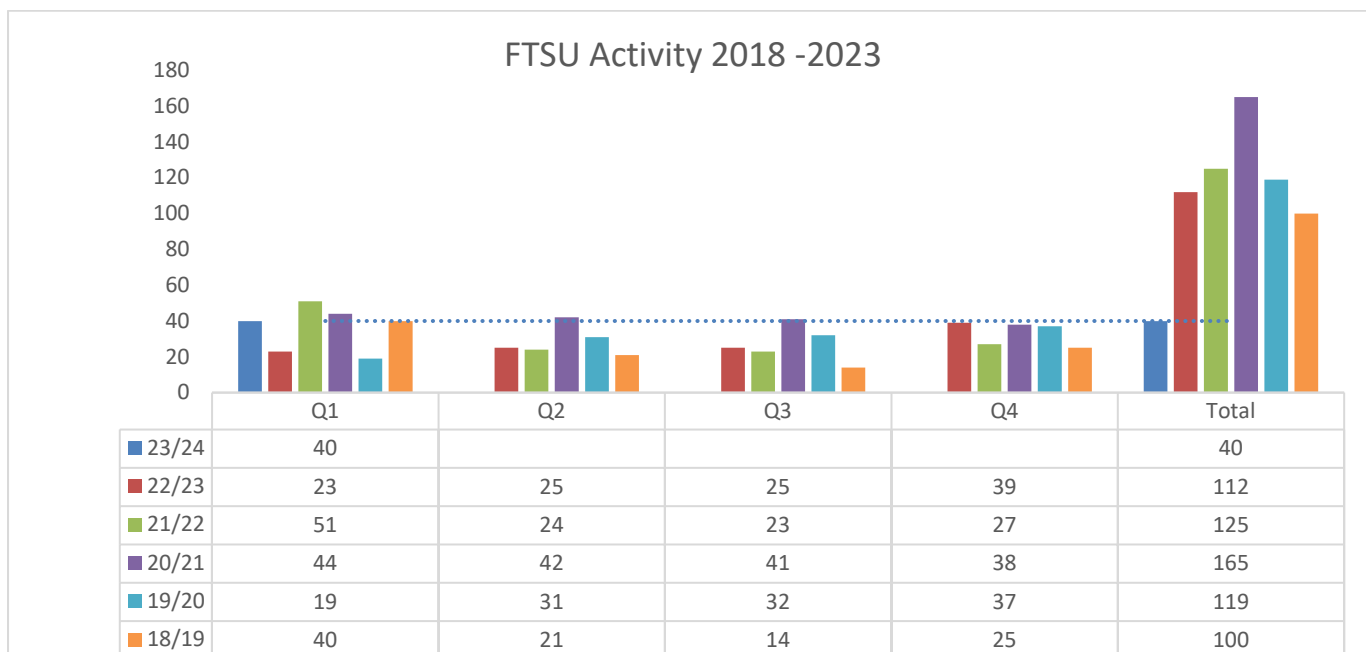
The first part presents comparative data on the number of cases reported annually from 2018 through to Q1 2023-2024, and more detailed data for the year 2022/23 to Q1 of 2023/24. This analysis allows for a comprehensive understanding of the trends and patterns in case reporting over time.

The second part provides a breakdown of the number of cases raised specifically through the FTSU route during the 1st Quarter of 2023/24. This breakdown enables a closer examination of the cases reported through the FTSU route. Furthermore, a broad analysis of themes or trends within the organization and the corresponding actions being taken will be included in this section.

Finally, the report includes details of the activities undertaken within the Trust as part of the Freedom to Speak Up workstream. It also provides updates from the National Guardians Office (NGO), highlighting any significant developments or noteworthy information related to the FTSU initiative.

Analysis of the Issue

Part 1. Assessment of Cases Utilization of the FTSU Process



FTSUG local data as reported to NGO.

The analysis of the issue presented includes an assessment of cases related to speaking up within Leicestershire Partnership NHS Trust. The chart shows the number of concerns raised per quarter, indicating an increase in contacts over time. Possible reasons for this increase include increased physical visibility of the Freedom to Speak Up Guardian (FTSU) post-pandemic, increased confidence in using alternate routes to speak up and breaking various barriers that individuals may have faced in raising concerns.

Table 1. Comparative Summary of Speaking up Cases per Directorate 2022/2023 & Q1 2023/2024

Service Area	Q1 (23) 2022/2023	Q2 (25) 2022/2023	Q3 (25) 2022/2023	Q4 (39) 2022/2023	Q1 (40) 2023/2024
DMH	14	14	12	24	10
CHS	1	4	5	5	9
Enabling	3	3	1	4	4
FYPC/LD	4	6	7	4	6
Hosted	0	0	0	2	1
TOTAL	22	25	25	39	40

When comparing speaking-up contacts across different directorates, there is a higher number of contacts from DMH, which may be influenced by workers approaching the FTSU Guardian in pairs to report similar concerns. On the other hand, there appear to be relatively fewer contacts from CHS, as some issues will have been raised through other speaking-up routes within that directorate.

Themes reported in the quarterly data collection, which are shared with the National Guardians Office, include multiple aspects raised in the speak-up cases. However, due to the nature of the FTSU Guardian role, individual staff members tend to speak up about specific cases, making it challenging to identify generalized themes within teams, departments, directorates, or across the entire organization.

Part 2. Breakdown of the number of cases

Table 2. Themes

Themes *	Q1 (23) 2022/2023	Q2 (25) 2022/2023	Q3 (25) 2022/2023	Q4 (39) 2022/2023	Q1 (40) 2023/2024
Patient safety & Quality	7	9	7	9	12
Worker Safety or Well-being	9	12	17	23	31
Inappropriate Attitudes & Behaviours	8	12	5	19	28
Bullying/Harassment	5	6	4	0	10
Detriment	0	0	0	0	0

**Speak Up cases often contain multiple themes; therefore, data sets do not always equate together. Reports are recorded under the workers' description.*

The reports under each heading tend to be as the colleague speaking up describes the issue. It is important to note where patient safety has been discussed the FTSUG has ensured that the senior leaders for the area is made aware and where appropriate the concern is reported to the patient safety team if they have not been made aware through other routes for example by the compliance team or through eIRF system.

In addition, the worker safety and wellbeing heading, tends to include more contacts relating to health and wellbeing rather than safety. Where safety is an issue these are raised with the relevant specialist in the Health and Safety team. Many of the matters raised in relation to wellbeing led to signposting and support to access the Health and Wellbeing offer, other specialist services including, Occupational Health service, AMICA and staffside representatives.

Furthermore, matters concerning inappropriate attitudes and behaviours and/or Bullying and Harassment led to conversations and working through options using the resolution policy. Close links with the Human resources, Organisational Development team and the Equality, Diversity and Inclusion service are maintained to ensure we are able to triangulate information in order to identify 'hot spots' and 'hot topics'. This has enabled us to focus early support and enhance the open and transparent culture.

Impact of FTSU

The primary issues raised primarily revolve around behaviours characterized as dominant and/or alleged instances of bullying or discrimination. Additionally, another significant category of concern pertains to queries about the interpretation of policies and procedures and how this can impact on recruitment and retention.

Moreover, FTSUG has actively participated in various discussions, including:

1. Recruitment and retention – acting up, secondment, candidate waiting lists Agenda for Change review requests and internal recruitment.
2. Cultivating positive working environments – leadership behaviours, psychological safety and morale
3. Conducting exit interviews/stay interviews.
4. Formal and informal processes relating to human resources policies and procedures.

5. Providing support and training for managers
6. Addressing professional behaviours through early resolution mechanisms
7. Management of flexible working arrangements, reasonable adjustments etc.

The FTSUG's are active members of the Our Future Our Way reference group and both attended the synthesis day to identify organisational priorities. There were some significant similarities in a number of the comments from the survey and from Freedom to Speak up contacts. The FTSUG's will continue to work with Organisational Development colleagues to support the appropriate priorities in relation to leadership behaviours, psychological safety, reducing barriers to speaking up, improving communication and raising concerns ensuring our workforce "each have a voice that counts".

Open, confidential and anonymous cases of speaking up.

Generally, colleagues request that their issue be dealt with confidentially and they voice their concerns relating to future repercussions and fear of negative behaviours/consequences as a result of speaking up. However, with support and reassurance, many have felt confident to be identified and further-more discuss issues openly with their senior leaders or managers through informal 'listening meetings'. These meetings create opportunities for staff to be listened to and to understand any future actions in response and/or achieve resolution. Feedback on this process has been positive and builds on the development of an open and transparent culture, however, fear of real or perceived negative consequences continues to create a barrier to speaking up openly. FTSU Guardians are working with representatives from HR to introduce guidance on how to escalate cases which may result in Demeaning and Disadvantageous behaviours following speaking into the Freedom to Speak Up Process. (See theme for Speak Up month later in this report)

Table 3. Anonymous contacts

23/24	No. of Contacts	Internal	External (CQC)	Anonymous
Q1	40	3	2	5

The nature of the role of the FTSU Guardian tends to lead to individual members of staff speaking up in relation to specific individual cases and therefore it is often difficult to see generalized themes within teams, departments, directorates or indeed across the Trust.

FTSU Guardian Activity - Raising Awareness:

- Drop-in sessions in all Directorate to connect with clinical /non-clinical colleagues.
- Face-to-face attendance at corporate induction sessions to introduce new starters to the role and encourage speaking up.
- Training and development sessions are used to raise the profile of speaking up.
- Representation at Health and well-being roadshows and "Here for You" events.
- Bespoke engagement events on various wards and inpatient areas.
- [Speak Up, Listen Up, and Follow Up](#) training modules are available on the uLearn platform.
- Freedom to Speak Up staff survey.

The FTSU Guardians have taken action to improve the speaking-up culture within Leicestershire Partnership NHS Trust. They have conducted drop-in sessions, presentations for international and newly qualified nurses

as well as medical trainees, and engagement events to raise awareness (ongoing work). They have utilized various channels such as health and wellbeing roadshows, and virtual team meetings. The FTSU Guardian has collaborated with other staff networks and is currently finalizing a survey for benchmarking its service. The Trust Board is requested to acknowledge the FTSU workstream's efforts, ensure concerns are addressed, and actively promote a speaking-up culture.

Creating a Speaking Up Culture.

Freedom to Speak Up Reflection and Planning Tool and Guidance for Senior Leaders

The reflection tool was discussed at the Board Development session in December 2022, where key high-level actions were identified. Work has been ongoing, and progress on the action plan will be reported at the board development session in August. To offer additional assurance regarding the scoring within each of the eight principles outlined in the guide, arrangements have been made to review the evidence provided by leaders at LPT and NHFT. This exercise will provide valuable insight into each organization's speak-up culture, create a consistent approach to summarizing and scoring the provided evidence, and offer a valuable learning opportunity across the group.

Freedom to Speak Up survey.

The local survey was open for 1 month and closed on the 15th of July 2023. The results will provide key benchmarking figures as part of the ongoing evaluation of staff awareness an all aspects of speaking up.

Internal Audit – Freedom to Speak Up Review

During July 360 Assurance are completing a independent review of the Freedom to Speak Up arrangements within LPT. The final report is expected in August 2023.

National Staff Survey Results 2022

The high-level analysis of the 2022 National Staff Survey results (shown below) indicates that Leicestershire Partnership NHS Trust is higher than the average across all questions under the People Promise element – ‘We each have a voice that counts’. This is very positive on the whole, however, there was a reduction in the percentage indicator for Q 19a. This appears to be in line with the national data trends as shown later in the National Guardian Office (NGO) updates.

Q19a. I would feel secure raising concerns about unsafe clinical practice.

	2021	2022
Best	86.2%	84.3%
LPT	81.5%	78.2%
Average	79.7%	76.7%

Q19b. I am confident that my organisation would address my concern.

	2021	2022
Best	79.5%	76.7%
LPT	61.5%	64.3%
Average	63.1%	64.2%

Q23e. I feel safe to speak up about anything that concerns me in this organisation.

	2021	2022
Best	78.8%	78.5%
LPT	69.1%	68.8%

Average	68.3%	66.8%
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Q23f. If I spoke up about something that concerned me, I am confident my organisation would address my concern.

	2021	2022
Best	71.3%	69.2%
LPT	56.8%	56.4%
Average	55.1%	55.0%

The FTSUG's are working collaboratively with the People Promise Manager, Equality and Diversity Team, Health and Wellbeing Lead, Organisational Development Lead and Staff Engagement Lead to underpin and embed the key FTSU messages within these work domains. FTSU Guardians are also key partners working with the Change Leaders as part of Our Future Our Way supporting the wider culture programme.

National Guardian Office (NGO) updates:

Fear and Futility Report

In June 2023 the NGO published [Fear and Futility – What does the Staff Survey tell us about speaking up in the NHS?](#) The report summarises the national picture –

The national picture which the Staff Survey results paints is that the confidence workers feel to speak up has declined for the second year in a row. The four questions which make up the Freedom to Speak Up sub-score can be mapped against two key barriers to speaking up:

- 1. the fear of detriment, that speaking up is a risky thing to do (questions 19a and 23e); and*
- 2. the belief that speaking up is futile – that nothing will happen as a result (questions 19b and 23f)*

If people fear that speaking up may lead to retaliation or threaten their job, they may stay quiet when they see matters which need addressing, and things that could have been resolved at an early stage could potentially lead to harm. If people believe that nothing will be done if they raise a matter, then speaking up is futile and not worth the risk.

The key findings show-

- The Freedom to Speak Up sub-score* declined from 6.5 in 2021 to 6.4 in this year's NHS Staff Survey 4. This fall equates to a 1.5% change. Given the size of the survey (over 600,000 workers) this equates to a declining perception of over 9,000 workers.
- There was a marked fall for raising concerns relating to clinical practice (following 2021 when there was a marked improvement).
- For the first time, bank staff completed a bank staff survey. The results were in line with the core survey results for all four speak up questions.
- By sector, ambulance trusts continue to score least well (and are continuing to worsen) whereas community trusts continue to perform best.
- The gap between community and ambulance/acute trust results is widening, potentially indicating the impact of pressures on frontline services.
- The Freedom to Speak Up sub-score positively correlates with Care Quality Commission ratings.
- There is a marked disparity between the highest and lowest scoring organisations, and this has increased for three out of the four Freedom to Speak Up questions since the 2021 survey.
- The North East and Yorkshire, North West and South East regions scored the highest. East of England scored least well for all four Freedom to Speak Up questions. In particular, the results for both questions about workers feeling that their organisations will address concerns were markedly low.

*The Freedom to Speak Up sub-score is calculated as the mean of the scores for Question's 19a, 19b, 23e and 23f.

"I felt heard for the first time" – A summary of Speaking Up to Freedom to Speak Up Guardians.

In July 2023 the NGO published "[I felt heard for the first time](#)" – A summary of Speaking Up to Freedom to Speak Up Guardians. This report summarises the cases raised with Freedom to Speak Up guardians from 1 April 2022 to 31 March 2023 (Headlines shown in Appendix 1)

In 2022/23, a record number of cases have been raised highlighting the incredible pressures on the healthcare system. People have spoken up about system pressures, in particular staffing levels and the impact this is having on wellbeing as well as other issues including incivility between colleagues, and patient safety concerns.

These are some of the questions that leaders need to ask. Why do some workers speak up anonymously? Why are workers fearing or experiencing detriment? How is bullying and harassment being addressed?

Listening to Guardians – Freedom to Speak Up Survey

In addition, the NGO published [Listening to Guardians – Freedom to Speak Up Survey 2023](#). This survey takes a temperature check of the speaking up culture within organisations as perceived by Freedom to Speak Up guardians. Through their role of listening to workers and speaking truth to power, guardians have a unique insight into the health of the Speak Up culture in their organisations.

Key findings are divided in the report are under 3 headings Speak Up culture, Barriers to Speaking Up and the Freedom to Speak Up Guardian role and can be found in the link above.

October 2023 – Speak Up month – Breaking Barriers



The theme for Speak Up month is '**Breaking Barriers**' and there is a suite of resources available from the NGO to support local planning.

Our FTSUGs' have invited Dr Jayne Chidgey-Clark National Guardian for the NHS to present a Leadership Masterclass as part of the shared organisational development programme with Northamptonshire Healthcare NHS Trust. The presentation has been arranged for 2.30pm – 3.30pm on the 9th of October and has been arranged to coincide with speak up month. This will provide a great opportunity to promote the FTSU messages and leadership across the group.

Recommendations

Given the challenges that Leicestershire Partnership NHS Trust faces, fostering a healthy culture of speaking up, listening up, and following up has become increasingly key, despite the progress made in key areas. The Board is asked to:

1. Support the information and assurance provided.
2. Trust Board to acknowledge the FTSU activity and actions.
3. Be assured that concerns are addressed according to the Freedom to Speak Up policy.
4. Confirm that the Trust Board actively supports and embeds a speaking-up culture.

Presenting Director: Angela Hillery

Author(s): Chris Moyo
Pauline Lewitt

25/07/23

Governance table

For Board and Board Committees:	Trust Board 25.7.23	
Paper sponsored by:	Angela Hillery, CEO	
Paper authored by:	Pauline Lewitt and Chris Moyo: Freedom to Speak Up Guardian(s)	
Date submitted:	25/07/23	
State which Board Committee or other forum within the Trust's governance structure, if any, have previously considered the report/this issue and the date of the relevant meeting(s):	N/A	
If considered elsewhere, state the level of assurance gained by the Board Committee or other forum i.e. assured/ partially assured / not assured:	N/A	
State whether this is a 'one off' report or, if not, when an update report will be provided for the purposes of corporate Agenda planning	6 Monthly	
STEP up to GREAT strategic alignment*:	High Standards Transformation	Yes
	Environments	
	Patient Experience & Involvement	
	Well Governed	
	Reaching Out	
	Equality, Leadership, Culture	Yes
	Access to Services	
	Trustwide Quality Improvement	Yes
Organisational Risk Register considerations:	List risk number and title of risk	N/A
Is the decision required consistent with LPT's risk appetite:	N/A	
False and misleading information (FOMI) considerations:	None	
Positive confirmation that the content does not risk the safety of patients or the public	Confirmed	
Equality considerations:	None	

Appendix 1

Taken from report –

[“I felt heard for the first time”](#) – A summary of Speaking Up to Freedom to Speak Up Guardians

Headlines 2022/23

TOTAL CASES



25,382 cases

were raised with
Freedom to Speak Up Guardians
in 2022/23

The highest number of cases recorded - 25% increase from 2021/22.

QUARTER 3 HAD THE LARGEST AMOUNT OF CASES



Quarter 3 (Oct-Dec 2022) had the highest number of cases raised with Freedom to Speak Up Guardians in a single quarter (6,947), a record number of cases.

This may be as a result of the awareness raising which takes place during Speak Up Month every October.

SOURCES OF CASES

Cases raised with Freedom to Speak Up Guardians in NHS Trusts (23,392) accounted for 92.2% of cases in 2022/23.

A further 1,990 cases (7.8%) were raised in other organisation types.



PROFESSIONAL GROUPS



Workers from a range of professional groups spoke up to Freedom to Speak Up Guardians.

Nurses and midwives accounted for the biggest portion (29%) of cases raised.

ANONYMOUS CASES

The percentage of cases which were raised anonymously has fallen to ten percent (9.3%).

This continues the downward trajectory from 2017, when 17.7% of cases were raised anonymously.



BULLYING AND HARRASSMENT

22 % of cases reported included an element of bullying or harassment.

A 10-percentage point fall compared to 2021/22 - this is at least in part due to cases being reported against the new category of 'inappropriate attitudes and behaviours'



WORKER SAFETY AND WELLBEING

One in every four cases raised (27.4%) involved an element of worker safety or wellbeing.



PATIENT SAFETY AND QUALITY

19.3% of cases raised included an element of patient safety/quality, up from 18.8% in 2021/22.



INAPPROPRIATE BEHAVIOURS

30% of cases involved an element of inappropriate behaviours and attitudes.

The most reported theme in 2022/23.



DETRIMENT

Detriment for speaking up was indicated in 3.9% of cases.

This is down from 4.3% in 2021/22 but higher than 2019/20 and 2020/21 levels.



FEEDBACK

Over four-fifths (82.8%) of those who gave feedback said they would speak up again.

