

Cover Sheet

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Title: Freedom to Speak Up [FTSU] Six-Monthly Update Q1/Q2 22/23

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TB2022.058 FTSU Annual Report 2021/22

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Key Purpose: Assurance

Executive Summary

1. This paper presents a six-monthly update on the work of the Freedom to Speak Up [FTSU] team at OUH, including data on cases formally opened after contact made with FTSU Guardians in the six-month period from 1 April to 30 September 2022. It also highlights relevant communications from the National Guardian Office [NGO].
2. The full report is **attached** at Appendix 1.

Recommendations

3. The **Trust Board is asked to:**
 - Note the six-monthly update report for 2022/23.

Freedom to Speak Up [FTSU] Six-Monthly Update Q1/Q2 22/23

1. Purpose

- 1.1. This paper presents a six-monthly update report, **attached** at Appendix 1.
- 1.2. Reporting requirements of the National Guardian Office [NGO] changed in 2022 and the report is compliant with those new requirements for activity in the first two quarters of 2022/23, from 1 April to 30 September 2022.

2. Six-monthly update

- 2.1. Data is provided on the number of formally recorded cases that were opened after staff contact with OUH FTSU Guardians, with a breakdown of the reason(s) for contact in those cases. (Multiple reasons may be identified in relation to a single case).
- 2.2. During this reporting period, 37 cases were opened following members of OUH staff contacting the FTSU Guardians for advice and support (compared to 38 cases opened in the same period of 2021/22).
- 2.3. The number of cases formally opened does not represent the larger number of staff members with whom the FTSU team has had contact, whether formally or informally, and with whom they have engaged through monthly online Listening Events and other initiatives to raise awareness and remove barriers to speaking up, promoting the Trust's **#SpeakUpListenUpFollowUp** culture.
- 2.4. In the six months between April to September 2022 inclusive 1,675 contacts were logged (compared to 762 contacts recorded in the five months between May and September 2021).
- 2.5. The National Guardian's Office did not publish a FTSU Index Report for 2022, because the NHS Staff Survey questions (upon which each trust's FTSU Index score was based) had changed in the 2021 Staff Survey.
- 2.6. However, in the [NHS Staff Survey 2021](#) OUH scored 6.6 in relation to the **People Promise Element**: *"We each have a voice that counts"* (relating to *Raising Concerns*), which was better than the national average of 6.4 and significantly better than poorly performing outliers, while leaving room to improve to match the top performing trusts.
- 2.7. Q1 saw consideration being given to publication of the NGO's report looking at the results of the FTSU Guardian Survey 2021: [Supporting the wellbeing of FTSU Guardians](#) , and in June 2022 NHS England and the NGO together published an [updated national model FTSU policy](#) , associated [FTSU Guidance](#) and a [FTSU reflection and planning tool](#).

- 2.8. Also during Q1, the FTSU team entered the [OUH Freedom to Speak Up \[FTSU\] Review 2021](#) and resultant [Report on Key Findings of the FTSU Review](#) into the [HSJ Awards 2022](#) , and the Trust was delighted to be shortlisted for the project, and then to win a High Commendation.
- 2.9. Building on the success of the Review, four volunteer FTSU Champions joined the team in Q1 of 2022/23. Based on different sites, and as part of their existing roles, these volunteer Champions help to provide staff with improved ease of access to initial information and advice.
- 2.10. During the period covered by this report, the FTSU team was led by the Interim FTSU Lead Guardian (1.5 PA per week), supported by an Interim Guardian (30 hours per week) and a Local Guardian (3 hours per week)
- 2.11. Further building on the success of the Review, there has been more collaborative working between FTSU, other teams and Staff Networks, sustaining a high level of engagement and communication with staff.
- 2.12. In Q2, consideration was given to the NGO's latest [Annual Speaking Up Data 21/22](#) (published in July 2022).
- 2.13. Throughout Q2, with support from the Director of Communications and Engagement and team, the OUH FTSU team made extensive plans for the annually designated 'Speak up Month' of October – the national theme for which was [#FreedomtoSpeakUpForEveryone](#) - including a visit from [Dr Jayne Chidgey-Clark, National Guardian - Freedom to Speak Up](#).

3. Conclusion

- 3.1. The OUH FTSU team has continued to offer a very valuable service, collaborating with colleagues in teams across the Trust in meeting the on-going challenge to promote, create and sustain an open and transparent culture of speaking up, listening up and following up that is demonstrably embedded throughout the organisation. This collaborative approach adheres to NHS England's [updated FTSU guidance and reflection and planning tool](#) which emphasises that:

“speaking up sits within the wider context of a compassionate and inclusive culture, ... all elements of [which] are closely linked to Freedom To Speak Up, and must be implemented alongside it”

- 3.2. It remains important to ensure that capability and capacity of the FTSU team are sufficient to provide the support that is required to meet the needs of staff in relation to raising concerns.

4. Recommendations

- 4.1. The **Trust Board is asked to:**
 - Note the six-monthly update report for 2022/2023.

Appendix 1 Freedom to Speak Up – Six-monthly update report Q1 and Q2 2022/2023

1. Purpose

1.1. The purpose of this paper is to provide an overview of the work of the FTSU Guardians at OUH, highlighting relevant updates from the National Guardian Office [NGO], and providing data on contacts made.

2. Recorded staff contacts: cases opened

2.1. The number of cases formally opened after staff contact with FTSU Guardians over the period of this report is 37. The number of cases formally opened does not represent the larger number of staff members (=1,675 between April-September 2022 inclusive) with whom the FTSU team has had contact, whether formally or informally, and with whom they have engaged at monthly online Listening Events (six held in Q1/Q2) and other initiatives to raise awareness and remove barriers to speaking up.

2.2. Comparison data on the number of contacts giving rise to a case being opened is provided in Table 1

Year	Period covered	No of contacts	
2017/18	8 months		56
		Half year	Full year
2018/19	Q1 and Q2	39	
	Q3 and Q4	54	
	12 months		93
2019/20	Q1 and Q2	86	
	Q3 and Q4	55	
	12 months		141
2020/21	Q1 and Q2	92	
	Q3 and Q4	72	
	12 months		164
2021/22	Q1 and Q2	38	
	Q3 and Q4`	78	
	12 months		116
2022/23	Q1 and Q2	37	

Table 1 - Number of contacts (Source: OUH Lead FtSU Guardian)

2.3. The [NGO Annual Report on Speaking Up Data 21/22](#) (published in July 2022) showed that the highest proportion of cases nationally (32.3% of the total number of 20,362) included an element of allegedly poor behaviour (including experiences of bullying and harassment).

2.4. For 2022/23, the NGO has introduced a new category alongside “bullying and harassment” of “other inappropriate attitudes or behaviours”, and has also revised the category of “worker safety” to “worker safety or wellbeing”.

2.5. Together, “bullying and harassment” or “other inappropriate attitudes or behaviours” were cited as the reason for contact with FTSU Guardians in 15 of the cases formally opened during Q1 and Q2 of 2022/23.

2.6. Staff safety or wellbeing was cited as the reason for contact in 17 cases.

2.7. Comparison data on the reasons for contacts with OUH FTSU Guardians is provided in Tables 2 and 3 (noting that multiple reasons for contact may be identified in respect of a single case).

	2020/21 (full year total)	2021/22 (full year total)	22/23 Q1	22/23 Q2
Element of patient safety/quality	63	25	7	3
Behaviours incl. bullying & harassment	47	66	<i>Category then sub-divided</i>	
Element of bullying and harassment	<i>Categories not previously sub-divided</i>		0	9
Element of other inappropriate attitudes or behaviour			2	4
Element of staff safety	<i>Not reported</i>	47	<i>Category then revised to include staff wellbeing</i>	
Element of staff safety or wellbeing	<i>Category didn't previously include staff wellbeing</i>		6	11
Suffered detriment	12	7	0	1

Table 2 – reasons for contacts with OUH FtSU Guardians

Themes	21/22 Q1	21/22 Q2	21/22 Q3	21/22 Q4	22/23 Q1	22/23 Q2
Element of patient safety/quality	6	8	10	9	7	3
Behaviours including bullying & harassment	18	10	20	18	<i>Category then sub-divided</i>	
Element of bullying and harassment	<i>Categories not previously sub-divided</i>				0	9
Element of other inappropriate attitudes or behaviour					2	4
Element of staff safety	2	5	22	18	<i>Category then revised to include staff wellbeing</i>	
Element of staff safety or wellbeing	<i>Category didn't previously include staff wellbeing</i>				6	11
Suffered detriment	2	2	2	1	0	1

Table 3 – reasons for contacts by quarter during 2021/22 and up to end of Q2 22/23

2.8. No cases were raised anonymously in Q1. Two cases were raised anonymously in Q2.

2.9. Throughout Q1 and Q2 of 2022/23, in most cases, an initial response was provided on the same day that contact had been made.

2.10. Data is no longer collected on the professional level of staff raising concerns.

2.11. It continues to be the case that, wherever a concern raised has indicated:

- that there is an issue that may be of significance beyond the circumstances of the individual who has spoken up; and/or
- that there is an issue that may only be resolved through a co-ordinated organisational response; and/or
- that there is an issue of sufficient gravity to require further escalation

the case has been highlighted to individual executives, divisional leads or other managers as appropriate, for action to be taken. At the time of reporting, there are 4 cases opened in Q1/Q2 that have not yet been closed, where staff continue to require support as further discussion/investigation is pursued to ensure that the concern they have raised has been heard and addressed at the appropriate level. The FTSU team are supporting staff with these cases.

Topics and themes

2.12. Issues identified in concerns raised in Q1 and Q2 of 2022/23 have highlighted:

- Concerns about staff wellbeing related to:
 - not feeling properly valued
 - encountering obstacles to career progression
 - difficulties in negotiating the ability to work remotely
 - allegedly poor understanding by line managers of disability rights
- Concerns about the lack of feedback from line managers and/or from Human Resources when somebody has spoken up
- Concerns about pressure resulting from persistent staff shortages in some areas, and the impact on patient safety and staff wellbeing
- The persistence of concerns relating to alleged bullying and harassment, and other inappropriate attitudes and behaviour.

3. National Guardian – Freedom to Speak Up

3.1. The National Guardian's Office [NGO] did not publish a FTSU Index Report for 2022, because the NHS Staff Survey questions (upon which each trust's FTSU Index score was based) had changed in the 2021 Staff Survey. However, in the [NHS Staff Survey 2021](#) OUH scored 6.6 in relation to the **People Promise Element**: *"We each have a voice that counts" (relating to Raising Concerns)*.

NHS Staff Survey 2021 National average	(Score 1-10)			6.4	
Highest and lowest performers				Best: 7.3	Worst: 5.7%
OUH Staff Survey 2020 Result				6.6	

NHS Staff Survey 2021- People Promise Element:
"We each have a voice that counts" (relating to Raising Concerns)

- 3.2. This score was better than the national average of 6.4 and significantly better than poorly performing outliers, while leaving room to improve to match the top performing trusts. It built on sustained incremental improvement shown by OUH performance against the FTSU Index score in the previous three years.

	2018	2019	2020
FtSU Index Report 2021 National average	78%	78.7%	79.2%
OUH overall, average score	77%	79.5%	80.3%

FTSU Index Score 2018-2020

- 3.3. In Q1, the NGO published a report looking at the results of the FTSU Guardian Survey 2021: [Supporting the wellbeing of FTSU Guardians](#) , which emphasised the importance of adequate ring-fenced time for carrying out both the proactive and reactive elements of the Freedom to Speak Up Guardians' role.
- 3.4. In June 2022 NHS England and the NGO together published an [updated national model FTSU policy](#) , associated [FTSU Guidance](#) and a [FTSU reflection and planning tool](#) . The updated guidance requires all Trusts to refresh their FTSU Policy by January 2024 at the latest – ensuring that it is consistent with the provisions of the updated national model policy – and the OUH Board has already approved a revised and fully compliant FTSU Policy for OUH (formally approved in November 2022).
- 3.5. In Q2, consideration was given to the NGO's latest [Annual Speaking Up Data 21/22](#) (published in July 2022), which reported a total of 20,362 cases brought to FTSU Guardians across the country, comparable to the record level set during the pandemic in 2020/21.
- 3.6. The NGO continues to run its [100 voices](#) initiative, sharing stories that aim to describe the current reality of speaking up in health¹.

¹ See also Case Studies, including [Case Study which OUH was invited to share](#)

4. Learning and Improvement

4.1. Having made available on *My Learning Hub* the training modules developed by Health Education England working with the NGO:

- Module 1 “Speak Up” ([Speak Up](#)) – available for all staff
- Module 2 “Listen Up” ([Listen Up](#)) – for all leaders; and (later)
- Module 3, “Follow Up” ([Follow Up](#)) - for senior leaders including executive and non-executive directors, and governors; to be undertaken after completion of Modules 1 and 2.

in Q1 of 2022/23, the Interim FTSU Lead Guardian undertook a review of the Speak Up and Listen Up e-learning modules’ impact on the speaking up culture in the Trust, the main findings of which include:

- 4.1.1. Uptake of the (non-Core, non-mandatory) modules was very low
 - although of those who had completed the ‘Speak Up’ module, it may be noted that 35% described themselves as being from a black, Asian minority ethnic background;
- 4.1.2. Low uptake was attributed to reasons that included:
 - lack of time
 - perceived poor promotion of the modules
 - limited access to computers/space to undertake the modules;
- 4.1.3. Uptake by senior staff was even lower than the average across all staff, which may be attributed to a prevailing (possibly mis-placed) assumption by many senior staff that they already know all they need to know about speaking up and listening up;
- 4.1.4. When comparing staff who had completed the modules to those who had not, those who had completed the modules displayed a significant improvement in:
 - engagement behaviours with the FTSU service;
 - attitudes to speaking up, and
 - knowledge about how to raise concerns and respond to them.

4.2. Working with the Executive Lead for FTSU, the Interim FTSU Lead Guardian has developed a strategic framework for improving uptake of the e-learning modules by:

- encouraging optional uptake of the ‘Speak Up’ e-learning module by all staff;
- particularly targeting take-up by BAME staff; while
- making both the Speak Up and Listen Up modules obligatory for line managers, senior Trust leaders, and senior clinical staff who can then support junior and other frontline staff in raising concerns.

- 4.3. This approach is intended to encourage knowledge about how to speak up in all staff groups, while particularly targeting vulnerable groups and empowering senior leaders and middle managers to support the promotion of a healthy speaking up culture.
- 4.4. All members of the FTSU team undertook the e-learning modules.
- 4.5. The FTSU Guardians also completed updated Guardians' training, launched by the NGO, and regularly attended and shared learning at meetings of the Regional FTSU Network.
- 4.6. The FTSU team focused on working with key stakeholders across the Trust during the monthly Listening Events. This has encouraged learning across multiple groups and stakeholders. The following FTSU Listening Events took place between Q1 and Q2:
 - April: Recognising and coping with stress in the workplace – with the Occupational Health and Wellbeing Team.
 - May: BAME staff health and wellbeing – with Grace Jeffrey, BAME Health and Wellbeing Lead.
 - June: Virtual open listening event
 - July: Pay review/progression policy and process. With the HR Team/Assistant Director of Workforce.
 - August: “Freedom to Speak UP OUH Review - One year on: You Said, We Did”. With Susan Polywka, Corporate Governance Consultant, Assurance Team.
 - September: Impact of incivility in the clinical area and work environment. With the Civility Saves Lives Team.

5. Conclusion

- 5.1. The OUH FTSU team has continued to offer a very valuable service, collaborating with colleagues in teams across the Trust in meeting the on-going challenge to promote, create and sustain an open and transparent culture of speaking up, listening up and following up that is demonstrably embedded throughout the organisation. This collaborative approach adheres to NHS England's [updated FTSU guidance and reflection and planning tool](#) which emphasises that:

“speaking up sits within the wider context of a compassionate and inclusive culture, ... all elements of [which] are closely linked to Freedom To Speak Up, and must be implemented alongside it (see [pages 36-44 of the guidance 'Building widespread cultural change' - the transformational information you need for culture and behavioural change](#))”

- 5.2. It remains important to ensure that capability and capacity of the FTSU team are sufficient to provide the support that is required to meet the needs of staff in relation to raising concerns.