

<b>REPORT TITLE:</b>	Freedom to Speak Up Report		
<b>SPONSORING EXECUTIVE:</b>	Dinah McLannahan, Chief Finance Officer		
<b>REPORT AUTHOR:</b>	Dinah McLannahan, Chief Finance Officer		
<b>MEETING:</b>	Public Trust Board	<b>DATE:</b>	10 <sup>th</sup> May 2023

<b>1. Suggested discussion points</b> <i>[two or three issues you consider the Trust Board should focus on in discussion]</i>
<p>The Trust Board last received a report in relation to Freedom to Speak Up (FTSU) in April 2022. The report set out a relaunch of FTSU, a detailed action plan, and an intention to be leading the way nationally in relation to FTSU, with regular reporting to Board and a higher profile for the function and its importance in the Trust. To achieve this, we will need commitment from all colleagues to support this work and prioritise the work of the FTSU Guardians and Speaking Up and promote a culture that supports its growth and profile in the organisation. <b><i>“It is the behaviour of executives and non-executives (which is then reinforced by managers) that has the biggest impact on organisational culture. How an executive director (or a manager) handles a matter raised by a worker is a strong indicator of a trust’s speaking up culture and how well-led it is.”</i></b> This report provides an update on progress. It has been a challenging year again in relation to capacity and the focus of that capacity. Despite this, positive progress has been made.</p>

<b>2. Alignment to our Vision</b> <i>[indicate with an ‘X’ which Strategic Objective[s] this paper supports]</i>										
<table border="1"> <thead> <tr> <th>OUR PATIENTS</th> <th></th> <th>OUR PEOPLE</th> <th></th> <th>OUR POPULATION</th> </tr> </thead> <tbody> <tr> <td>To be good or outstanding in everything that we do</td> <td>X</td> <td>To cultivate and sustain happy, productive and engaged staff</td> <td>X</td> <td>To work seamlessly with our partners to improve lives</td> </tr> </tbody> </table>	OUR PATIENTS		OUR PEOPLE		OUR POPULATION	To be good or outstanding in everything that we do	X	To cultivate and sustain happy, productive and engaged staff	X	To work seamlessly with our partners to improve lives
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<b>3. Previous consideration</b> <i>[at which meeting[s] has this paper/matter been previously discussed?]</i>
None

<b>4. Recommendation(s)</b>
The Public Trust Board is asked to:
<b>a. NOTE</b> the contents of the report

<b>5. Impact</b> <i>[indicate with an ‘X’ which governance initiatives this matter relates to and, where shown, elaborate in the paper]</i>						
Board Assurance Framework Risk 01	X	Deliver safe, high-quality care.				
Board Assurance Framework Risk 02		Make best strategic use of its resources				
Board Assurance Framework Risk 03		Deliver the MMUH benefits case				
Board Assurance Framework Risk 04	X	Recruit, retain, train, and develop an engaged and effective workforce				
Board Assurance Framework Risk 05		Deliver on its ambitions as an integrated care organisation				
Corporate Risk Register [Safeguard Risk Nos]						
Equality Impact Assessment	Is this required?	Y		N	X	If ‘Y’ date completed
Quality Impact Assessment	Is this required?	Y		N	X	If ‘Y’ date completed

# SANDWELL AND WEST BIRMINGHAM NHS TRUST

## Report to the Public Trust Board on 10<sup>th</sup> May 2023

### Freedom to Speak Up Update

#### 1. Introduction or background

- 1.1 In April last year the Trust Board received an update in relation to Freedom to Speak up (FTSU). The report described a relaunch of the function, including a detailed action plan, and a newly recruited full time lead guardian.
- 1.2 The action plan (in the Reading Room) was constructed around a detailed self-assessment carried out by a previous lead guardian for Speak Up. The assessment was against standards issued by the National Guardian's Office.

#### 2. Progress during the year

- 2.1 The action plan has not been achieved during the year, although progress in some areas has been achieved. The main reason for lack of progress has been the capacity of the full time guardian to focus on speak up issues. This has been hampered both by absence and a conflict with Staff Side responsibilities. More recently, the lead FTSU has gone on secondment.
- 2.2 Our main achievements have been;
  - ✓ Refresh of corporate induction material
  - ✓ Expressions of interest received from 21 prospective new FTSU guardians from across the Trust (roles and teams)
  - ✓ Internal Audit review of the action plan and progress completed, actions being monitored through Audit and Risk Management Committee
  - ✓ FTSUG job descriptions updated
  - ✓ Confirmed commitment of existing guardians
  - ✓ Visited other organisations deemed excellent in FTSU
  - ✓ Considered other ways of delivering FTSU
  - ✓ Reviewed web-based systems as a shared database to record concerns
  - ✓ New FTSU policy drafted, currently in review by staff side colleagues (replaces whistleblowing policy)
  - ✓ Improved engagement with staff side colleagues in relation to FTSU
  - ✓ Links made with PSIRF work and connecting incident reporting and FTSU concerns raised
- 2.3 As well as the above progress, the FTSU team has continued to receive and handle speak up concerns. Volume and themes are as follows;
  - Recruitment – lack of open process and transparency (example of 2 senior posts whereby no post was advertised & subsequent internal staff recruited – both people raising concern feel they would suffer detriment if they raised - therefore remain anonymous)
  - Unrealistic deadlines

- Concern about expenses & working from home
- Concerns raised about meetings that continue when Trust is on a Level 4 (staff 1:1's / staff engagement meetings more likely to be cancelled than corporate "assurance" type meetings)
- Evidence of subtle bullying leadership behaviours – not overt, often linked to tight deadlines which are non-negotiable / inexperienced operational leaders whose communication is less effective when they are under pressure "from above"
- Care Navigation Centre accommodation – not fit for purpose
- "the organisation is a data hungry anxious beast & this is what mostly affects staff wellbeing"
- Development opportunities and issues with HR not responding fully to colleague's queries
- Expectations and understanding of role, no clear objectives set.
- Recruitment processes
- Dignity at work - attitudes and behaviours of senior managers in front of peers which undermine colleagues
- Recruitment - unfair advantage given to preferred candidates
- Incident reporting - part of a blame culture and not learning, also selective reporting
- Cliques within teams impacting overall morale
- Concerns raised about individual raising serious concerns about witnessing a mental and physical assault of a member of staff , also reporting of unprofessional behaviour of senior colleagues in the trust (external investigation commissioned)
- Treatment by colleague and workloads
- Alleged criticism by a Director of a senior nurse in another meeting, not direct constructive feedback. Lack of training opportunities, lack of promotional opportunities, nepotism, lack of support after several long-term sickness episodes
- Culture in team
- Governance issues, ownership of risk, relationship with group leadership team
- Consistent application of sickness policy
- Recruitment processes, process of redeployment and processes in recruitment team to fill roles
- Concerns of victimisation after raising concerns
- Delays on team restructure, lack of clarity on roles and responsibilities, absence of manager
- Culture in the team, leadership style
- Over-reliance on spreadsheets as opposed to automation
- Lack of join up to understand the Trust's strategic plan in relation to patient flow, Issues with clarity and timing of decision making in the group and directorates. "Normalisation" of Level 4
- Ensuring that there is a culture of being able to raise concerns on the pace of implementation of plans to improve, basics are not done
- Weakness of weekend plans, communication between discharge hub and wards, use of different systems

### **3. 2324 Plan**

- 3.1 A new FTSU lead starts on secondment 5<sup>th</sup> June, to cover the substantive post holder's secondment. He is a long standing employee of the Trust who took on additional

responsibilities during the pandemic, had a staff side rep role and is well known across the Trust. His vision is firmly anchored in equality, diversity and inclusion and speak up being for everyone, as well as believing that high quality patient care comes from happy satisfied colleagues and that freedom to speak up is a huge part of this. He believes in facing into the issues the Trust has, but being positive about the organisation and being a positive force for change. His main area of immediate focus will be to ensure completion of all of the actions in the action plan, and to onboard up to 21 additional FTSU Guardians, as well as a team of FTSU Champions. In addition, we are planning an away day of all the new guardians to build and jointly own our vision for FTSU in the Trust.

- 3.2 As well as the above during 2324 the FTSU team expect to have more capacity to feedback themes from speak up concerns back in to the organisation on a more systematic basis which will improve the feedback loop to those raising concerns.

#### **4. Recommendations**

- 4.1 The Public Trust Board is asked to:
- a. **NOTE** the contents of the report

Dinah McLannahan  
Chief Finance Officer

3<sup>rd</sup> May 2023

**Annex 1:** April 2022 Board paper (in the Reading Room)