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NHS
Sandwell and West Birmingham
NHS Trust

Report Title:	Freedom To Speak Up update		
Sponsoring Executive:	Dinah McLannahan, Chief Finance Officer		
Report Author:	Dinah McLannahan, Chief Finance Officer		
Meeting:	Trust Board (Public)	**Date**	6th April 2022

1.	**Suggested discussion points** *[two or three issues you consider the Trust Board should focus on]*

This paper provides an update on Freedom To Speak Up (FTSU), and includes narrative from the FTSU Guardians following a recent meeting. This is the start of a renewed approach to FTSU as a function, under new executive sponsorship, continued non-executive support via the Trust's Vice Chair, and in the context of a lead FTSU guardian soon to be in post at the time of writing this report.

Our vision is to be leading the way nationally in relation to FTSU, and this starts 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 FTSUGs and Speaking Up, and promote a culture that supports its growth and profile in the organisation.

"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."

2.	**Alignment to our Vision** *[indicate with an 'X' which Strategic Objective this paper supports]*					
Our Patients		**Our People**		**Our Population**		
To be good or outstanding in everything that we do		To cultivate and sustain happy, productive and engaged staff	x	To work seamlessly with our partners to improve lives		

3.	**Previous consideration** *[where has this paper been previously discussed?]*
NA	

4.	**Recommendation(s)**
The Trust Board is asked to:	
a.	**DISCUSS** and note the contents of the report
b.	**FEEDBACK** on the draft action plan and propose additional actions as required

5.	**Impact** *[indicate with an 'X' which governance initiatives this matter relates to and where shown elaborate]*							
Trust Risk Register	x							
Board Assurance Framework								
Equality Impact Assessment	Is this required?	Y		N		If 'Y' date completed		
Quality Impact Assessment	Is this required?	Y		N		If 'Y' date completed		

SANDWELL AND WEST BIRMINGHAM NHS TRUST

Report to the Public Trust Board: 6th April 2022

Freedom to Speak Up - Update

1. Introduction or background

1.1 The Board last received a report on this in December 2021. This paper builds on that report and feedback from the Board on that paper.

1.2 A review of previous reports and a recent discussion with 4 of our 5 Freedom to Speak Up Guardians (FTSUGs) indicate that the action required is clear, it has been making tangible and co-ordinated progress against the actions where qualitative and quantitative information can be brought together and triangulated that now needs to take place.

1.3 Board members should refresh themselves with Report template - NHSI website (nationalguardian.org.uk) and I would ask colleagues to reflect on our current position and the improvements required. We should ensure that we have ways of testing the Board's perception of itself by others. The improvement work the Board does as a result of reflecting on expectations is best placed within the wider programme of work to improve culture (our People Plan). This People Plan should include a focus on creating a culture of compassionate and inclusive leadership; the creation of meaningful values that all workers buy into; tackling bullying and harassment; improving staff retention; reducing excessive workloads; ensuring people feel in control and autonomous, and building powerful and effective teams. It is recommended that the Board spends some time in a development session on this work.

1.4 Boards should seek assurance on;

1.4.1 Workers know how to speak up

1.4.2 Workers speak up with confidence and are treated well

1.4.3 Workers are not victimised or do not suffer reprisals after they have spoken up

1.4.4 Managers and senior leaders role-model the right behaviour to encourage speaking up

1.4.5 Confidentiality is maintained

1.4.6 Concerns are processed in a timely manner

1.4.7 Risks are quickly escalated

1.4.8 Action is taken to address any evidence that workers have been victimised as a result of speaking up

1.4.9 Workers who have suffered victimisation as a result of speaking up are provided with appropriate support and redress

1.4.10 Appropriate patient safety and worker experience data is triangulated with the themes emerging from speaking up channels to identify wider concerns or emerging issues

1.4.11 Learning is identified and shared across the trust

1.4.12 Improvement actions are monitored and evaluated to ensure they lead to improvements

1.4.13 The Trust's FTSU arrangements are compliant with guidance from the National Guardian and NHS Improvement

2. FTSU Assessment against guidance, September 2020

2.1 The report is attached at Annex 1 for information.

2.2 There were no areas assessed as Green (meeting requirements). 3 areas were assessed as amber (partially meeting requirements) and 16 were measured as red (does not meet the national requirement).

2.3 Required improvement actions have been extracted from the document and categorised in to 30, 60 and 100 day and beyond actions. These have been discussed with the FTSUGs but not agreed formally as an action plan with them or with the Lead for Speaking Up. The next report to Board will provide an update and reflect their changes.

2.4 **30 day actions**

Establish Lead Speak Up role and align vision	Establish Board reporting cycle and attendance
Establish regular meeting timetable with CEO and Chair, CFO and Lead NED	Begin development of strategy
Begin recruitment to FTSUGs (number tbc) – representative of our workforce and from a range of roles	Ensure appropriate coverage at corporate induction
Update FTSUG job descriptions and ensure aligned with best practice	Produce templates for FTSUGs to use to record concerns raised but not take further for fear of detriment
Visit Trusts viewed as outstanding for Speak Up culture and build key learning into our response	Develop communications and engagement plan including with staff network groups, inclusion leads, chaplaincy, Women in medicine/leadership groups
Review resourcing – consider admin / BI	

support requirements	
Review model for speaking up to ensure that there is scope to effectively coordinate all speak up activities within the Trust. Establish a stakeholder group including network chairs, staff side, EDI, HR, cultural ambassadors, faith groups and chaplaincy	

2.5 **60 day actions**

Finish recruitment to FTSUG roles	Guardians to develop plan to host regional events and meetings
Board development session	
Continue development of the strategy	
Confirm qualitative reporting supporting and quantitative metrics and triangulation approach	
Confirm relationships of policies and pathways – Just and learning culture, Whistleblowing, Grievance and Disciplinary	
Confirm training plans for all – including consideration of the NHSE FTSU training for all managers	

2.6 **100 day actions**

Review and update whistleblowing policy and ensure it reflects learning	
FTSUGs and Lead to attend Board meeting	
Completion of strategy and a plan to evaluate and measure progress and results	
Review of HR processes in line with strategy	
Development of an intranet page for speaking up	

3. Thematic feedback from the FTSUGs

3.1 The following themes were captured from a recent discussion with the FTSUGs and newly appointed Lead.

- More support is needed, more visibility, more steer
- NED support is valued, continuity also
- Regular meetings with CEO and lead exec required
- FTSU needed on induction
- Feel powerless, lack of process to support the concerns that come through
- Need governance processes and policies to support

- Cultural issues need addressing
- Lack of responsiveness from executive directors
- Policies and procedures not followed and lack of holding to account
- Need more clarity on the role of the FTSUG
- Difficulty in raising issues in their own areas of work as a FTSUG
- Recruitment processes and practices require improvement
- Lack of skill sets and courage – fear
- Require empowerment to act
- Accept that the role is publicised but perceived lack of support from the Trust for authority to act
- Not just a sympathetic ear
- Have been warned off investigating
- Have a bit of power – but not enough
- Need clearer link to Board
- FTSUGs not representative of the workforce - ?are FTSUGs seen as "management" too
- More collaboration with staff side, EDI team, HR, Chaplaincy required
- A lot of things are said that are happening but there is a lack of evidence that things are happening on the ground
- Issues are not talked about when they should be acknowledged even if sensitive
- Risk of fewer concerns being raised as type clashing with seniority of FTSUGs
- Promises made that haven't materialised
- Culture of don't rock the boat
- Lack of substance, outcomes, data
- Feel as if there is bullying, racism and harassment and nothing is being done about it. If something is done repercussions are significant
- Cultural ambassador programme needs fully rolling out
- The Trust needs to be softer in its care for staff – this needs to come from above. Basic well being – rest rooms
- More events for managers
- Doesn't feel safe to speak up in some areas

4. Recommendations

4.1 The Trust Board is asked to:

a. Note and discuss the contents of the report
b. Feedback on the draft action plan and propose additional actions as required

Dinah McLannahan
Chief Finance Officer
28th March 2022
Annex 1: FTSU self assessment September 2022