The Queen Elizabeth Hospital King's Lynn
NHS Foundation Trust

Meeting:	Board of Directors (Public)		
Meeting Date:	1 June 2021	**Agenda item:**	16
Report Title:	Freedom to Speak Up: Bi-annual report		
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Executive Sponsor:	Laura Skaife-Knight, Deputy CEO		

Implications

Link to key strategic objectives
[highlight which KSO(s) this recommendation aims to support]

KSO1	KSO2	KSO3	KSO4	KSO5	KSO6
Safe and compassionate care	*Modernise hospital and estate*	***Staff engagement***	*Partnership working, clinical and financial sustainability*	*Healthy lives staff and patients*	*Investing in our staff*

Board assurance framework	Strategic Objective 3 There is a risk that Trust leaders may be unable to strengthen staff engagement and trust impacting on the development of an open culture at the Trust – item is discussed at People Committee.	
Significant risk register	None	
	Y/N	If Yes state impact/ implications and mitigation
Quality		
Legal and regulatory		
Financial		

Assurance route

Previously considered by:	People Committee (May 2021)

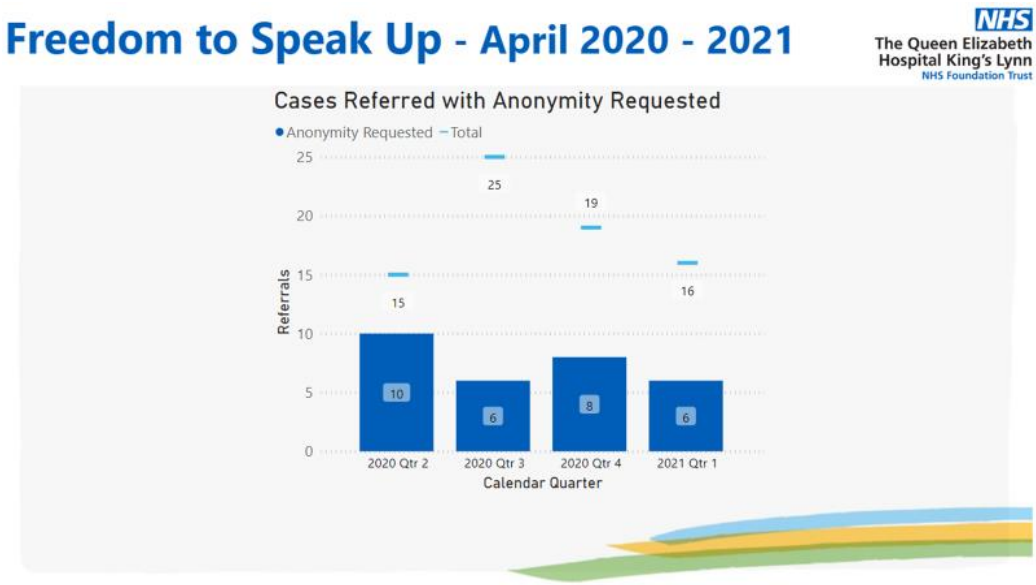
Executive summary

Action required: *[highlight **one** only]*	Approval	**Information**	Discussion	Assurance	Review
Purpose of the report:	To update the Board of Directors on Freedom to Speak Up at QEH – including: - Trends for the period covering April 2018 to March 2021 - Trends for 2020/21 (April 2020 to March 2021) - Progress against 2020 Internal Audit actions - Priorities for 2021/22				
Summary of Key issues:	Speak Up referrals have increased considerably compared to 12 months ago, with more than double the number of referrals via all routes (75 in 2020/21 compared to 25 the previous year), providing strong evidence and assurance to the Board that a strong speak up culture is developing at QEH.				

	This paper provides assurance that the actions from the 2020 Internal Audit which provided 'partial assurance' are nearing completion. The paper also sets out the clear priorities for Freedom to Speak Up in 2021/22, which is consistent with the priorities set out in the Trust's Culture Transformation Programme and Year Two Corporate Strategy.
Recommendation:	The Board is asked to note the Report and progress.
Acronyms	FTSUG – Freedom to Speak Up Guardian FTSUC – Freedom to Speak Up Champion NGO – National Guardian's Office BAME – Black, Asian and Minority Ethnic

1. Freedom to Speak Up (FTSU) referral trends - April 2018 to March 2021

Cases referred via Freedom to Speak Up where anonymity was requested April 2018-March 2021



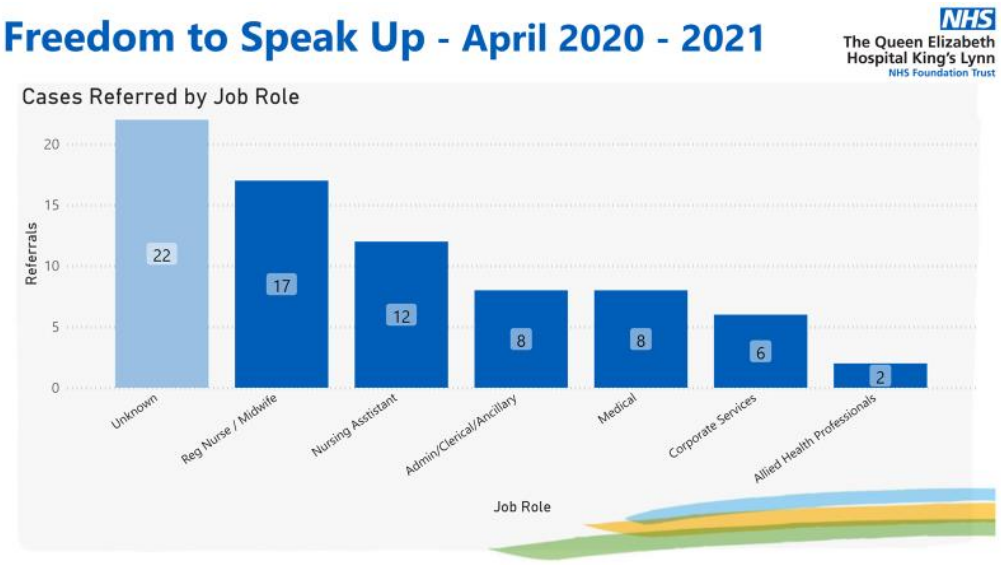
In 2020/21, 40% of cases that were referred requested anonymity (30/75) and in most cases this was due to staff fearing that they would suffer deteriment if they did speak up, indicating we have more to do here.

2. Freedom to Speak Up trends – 2020/21

In 2020/21, 75 staff raised concerns via our Speak Up routes (including our Freedom to Speak Up Guardian, Freedom to Speak Up Champions and via the CEO and Executive Lead for Speak Up). This compares to 25 in 2019/20 and 15 the previous year. In addition, 16 of the staff who spoke up in 2020/21 submitted anonymous letters raising concerns about culture, leadership and bullying in Maternity Services. This means that the number of Speak Up referrals more than doubled in 2020/21 – which was expected during COVID-19 – but this equally indicates a culture where staff feel comfortable speaking up is being developed at QEH. This is at a time the number of cases being referred direct to the CQC have declined significantly with the vast majority of referrals now being received internally via various routes.

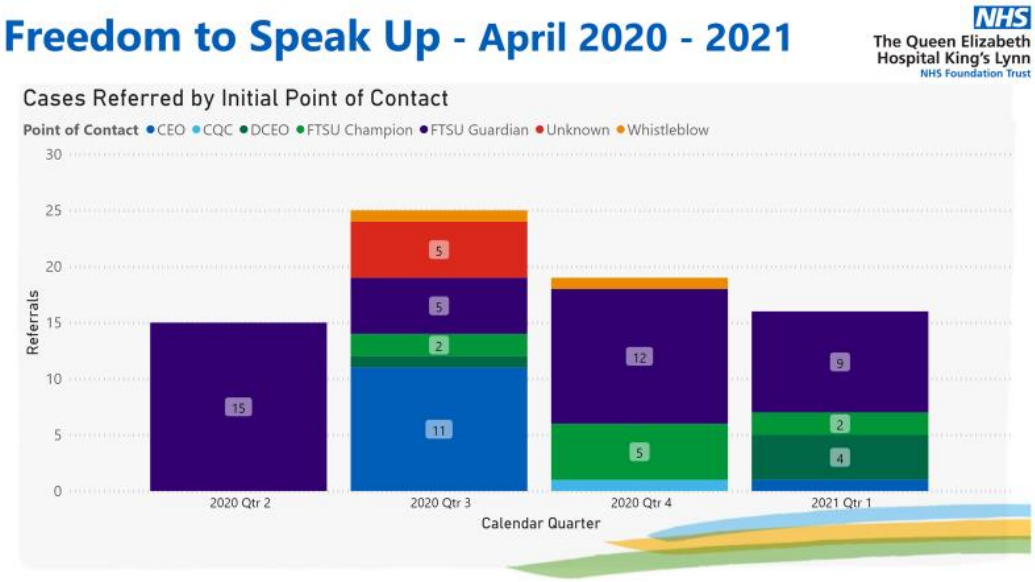
Lots of extremely positive work has taken place in 2020/21, including the Trust recruiting 19 Freedom to Speak Up Champions, which includes representatives from most staff groups, a volunteer, Governor and representatives from our BAME and LGBT+ Staff Networks. A monthly meeting takes place with the Freedom to Speak Up Champions, Chaired by the Deputy CEO as the Executive Lead for Speak Up and attended by the Freedom to Speak Up Guardian, to discuss themes, speak up culture and the workplan to support improvements in this important area. The Freedom to Speak Up Guardian post is supported by a Non-Executive Director. The Freedom to Speak Up Guardian has reported to the People Committee and the Board in 2020/21, and reports quarterly to the National Guardian's Office. Quarterly meetings were introduced in 2020/21, which are attended by the CEO, Deputy CEO, Freedom to Speak Up Guardian, Non-Executive Director Lead, Chief Nurse and Director of People, to discuss themes and trends arising from Speak Up referrals and to triangulate this data with other important staff experience measures.

Cases referred by job role/staff group 2020/21

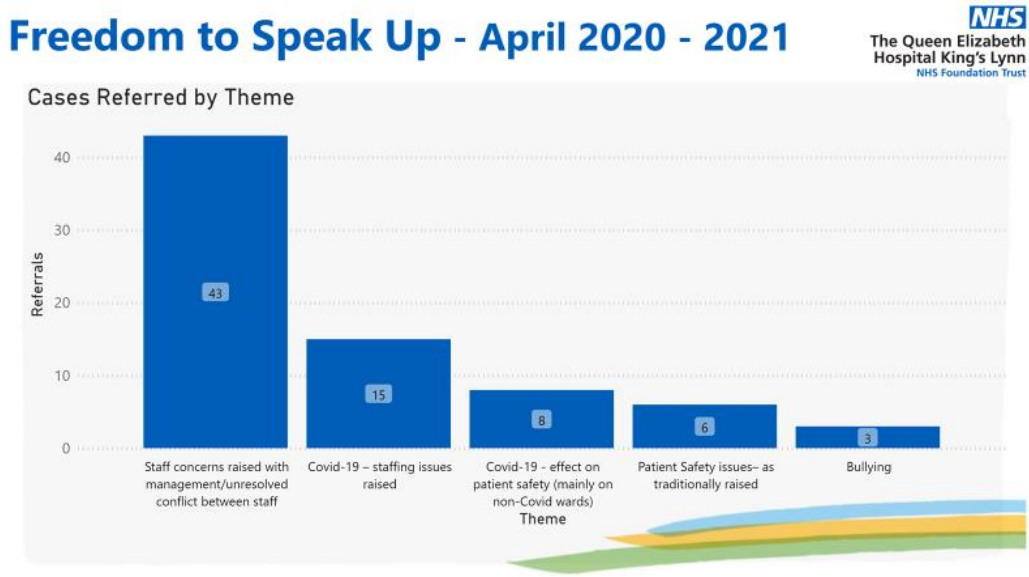


The route of Freedom to Speak Up referrals – 2020/21

The chart below shows that the majority of Freedom to Speak Up Referrals are made via the Freedom to Speak Up Guardian (over half of the referrals went direct to the Guardian), to the CEO directly and the Speak Up Champions, with just two cases to the internal whistleblowing helpline.



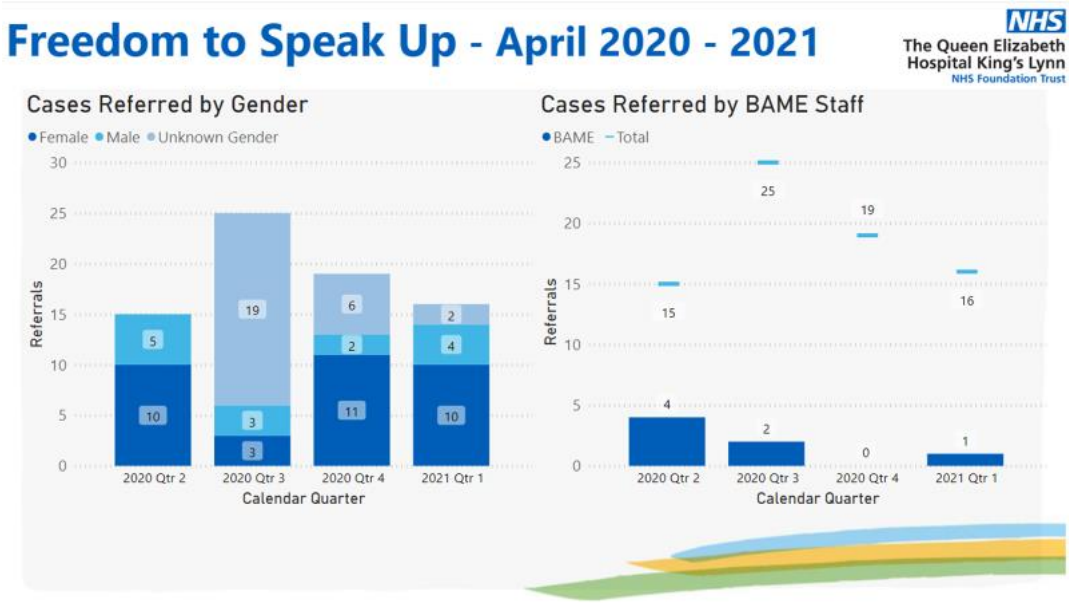
Cases referred by theme – 2020/21



Over half (43/75) of the Speak Up cases in 2020/21 related to staff raising concerns about management, unresolved conflict between staff or where relationships between staff and their managers has broken down so staff felt unable to raise concerns with their managers directly due to lack of confidence.

If we look at Quarter Four of 2020/21, 6/16 cases related to staff lacking confidence in the Trust's HR processes and were the main reason for staff speaking up.

Summary of Freedom to Speak Up cases by gender and Black, Asian and Minority Ethnic (BAME) 2020/21



In 2020/21, the Trust began to more closely track referrals from BAME staff, with 11.66% referrals for the year coming from our BAME community. These referrals are monitored monthly via the monthly Freedom to Speak Up Champions meeting and BAME Staff Network meeting.

Update on Internal Audit Review of Speak Up at QEH

An internal audit returned as 'partial assurance' in Autumn 2020 for Speak Up, which was as expected. Priorities from this audit included further simplifying the recently-merged Whistleblowing and Freedom to Speak Up Policies, drawing on best practice from across the NHS, formally recording detriment experienced by staff who Speak Up and further raising awareness among specific staff groups of the range of opportunities to speak up.
Significant progress has been made, with audit recommendations completed as follows:

- **Speaking Up Policy** – has been updated to reflect best practice and was approved in May 2021
- **Continuing to raise awareness of Freedom to Speak Up** via an ongoing and recently refreshed internal communications programme
- **Staff suffering detriment** – a process is now in place to record whether staff feel they have suffered detriment as a result of speaking up via the Freedom to Speak Up Guardian on a quarterly basis (this commenced Quarter Four of 2020/21).
- **Freedom to Speak Up Champion meetings** – an informal record of conversations at these monthly meetings is kept.
- **An annual Board development seminar** – in place for Quarter Two of 2021/22 (arranged for 29 July 2021)
- **Numbers of hours of Guardian support** – this is the only outstanding action from the audit, and this is being addressed as part of the succession arrangements for the Freedom to Speak Up Guardian (see below).

Priorities for Speak Up in 2021/22

1. Succession planning for the Freedom to Speak Up Guardian by Autumn 2021
2. Board development session on Speak Up – planned for July 2021
3. Continuing to raise awareness internally of the ways in which staff can speak up and where possible sharing outcomes and follow through from speak up cases to give staff the confidence that when concerns are raised, they are listened to and acted upon
4. The Trust's Culture Transformation Programme is focused on respectful resolution and equipping staff (and line managers) to 'speak up safely' so that we more often have the right conversations. We want more staff to raise concerns with their line managers moving forward and to see more local resolution, as well as fewer anonymous referrals, to indicate a more open culture and one where staff feel able to come forward without the need for anonymity or fear of detriment
5. Transitioning Speak Up from the Deputy CEO portfolio to the Director of People portfolio by April 2022 (so that Speak Up and Culture Transformation sit under a single portfolio, with the operational management of Speak Up transferring to the Head of Organisational Culture by Quarter Three of 2021/22 as part of these transitional arrangements).