The Queen Elizabeth Hospital King's Lynn
NHS Foundation Trust

Meeting:	Board of Directors (In Public)		
Meeting Date:	2 February 2021	**Agenda item:**	22
Report Title:	Six-monthly report from Freedom to Speak Up Guardian and update on internal whistleblowing helpline		
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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.	
Significant risk register	None	
	Y/N	If Yes state impact/ implications and mitigation
Quality		
Legal and regulatory		
Financial		

Assurance route

Previously considered by:	N/A

Executive summary

Action required: *[highlight **one** only]*	Approval	**Information**	Discussion	Assurance	Review

Purpose of the report:	To update the Board on Freedom to Speak Up at QEH for the period covering July 2020 to January 2021.
Summary of key issues:	The report includes updates for the period concerned on: 1. Cases referred to the Freedom to Speak Up Guardian 2. Analysis of the cases referred over the last six months 3. Speak Up referrals direct to CQC 4. FTSU Champions & Culture Transformation Programme involvement 5. Freedom to Speak Up – weekly and quarterly meetings

	6. Internal Audit conclusion – Freedom to Speak Up 7. 2021 priorities for Speak Up
Recommendation:	The Board of Directors is asked to note the Report.
Acronyms	FTSUG – Freedom to Speak Up Guardian FTSUC – Freedom to Speak Up Champion

Six-monthly report from Freedom to Speak Up Guardian and update on the internal whistleblowing helpline

1. Cases referred to the Freedom to Speak Up Guardian

Between July and September 2020 there were 10 new cases referred to QEH's Freedom to Speak Up Guardian (FTSUG) of which 1 case was referred through the internal whistleblowing phone line. Between October and December 2020 there were 19 new cases (one of these came from the internal whistleblowing line).

In addition, there were 3 cases of staff speaking up directly to the CQC in September 2020 and a further 3 in November 2020. These are discussed separately in item 3 below.

As can be seen from the table below, the increase in referrals over previous quarters, which was noted in the last six monthly FTSUG Report has continued:

FTSUG referrals April 2018 – June 2020

Quarter	Number of cases referred
April to June 2018	5
July to Sept 2018	4
October to Dec 2018	3 (plus 23 in support of a colleague)
January to March 2019	3
April to June 2019	6 (plus 3 in support of a colleague)
July to Sept 2019	4
October to Dec 2019	5
January to March 2020	10
April to June 2020	15
July to September 2020	10
October to December 2020	19

2. Analysis of cases referred over last six months

The main reason why FTSU referrals have increased has been because of issues connected with COVID-19. The first COVID-19 issue arose in March 2020; there were 8 COVID-19 related incidents April – June 2020, 2 COVID-19 related incidents July to September 2020, when the numbers of COVID-19 admissions dropped; from October to December there were 9 COVID-19 related issues. There have also been 2 COVID-19 related referrals in January 2021 so far.

There has been an interesting change in the actual reasons relating to COVID-19. Initially from March 2020 to June 2020 the referrals focused on the availability of PPE (just one on this issue), 4 on lack of social distancing, 1 on working from home because of COVID-19, 1 on quality of masks, 1 on where to change clothes before and after being on a red COVID-19 ward and 1 on disposal of COVID-19 waste, e.g. used PPE.

From October to December 2020 there has been an interesting switch of emphasis towards the consequences of COVID-19 on staff and on the service to patients on other wards. At the beginning of October 2020, there was a referral about risk management, when a patient was asymptomatic on admission, but subsequently tested positive on a ward; a similar referral was concerned about the detail of testing of patients as they are admitted to a ward from the Emergency Department and the consequent risk to staff; a member of staff worried about the knock on effects on Cardiology patients; another 2 members of staff worried, separately, about their Cardiology patients, because of stress of working part time on red wards; concern about the effect on maternity patients, because of changes in staffing; concern about lack of quarantine of staff recently arrived from abroad; staffing levels on Windsor Ward have been raised twice, once in November 2020 and once at the beginning of January 2021; staffing levels on Feltwell and Denver Wards have also been raised in early January 2021. Finally, there was one other COVID-19 related referral in November 2020 about lack of social distancing in a staff meeting room.

It is important to say that as FTSUG I have had good feedback on all these FTSU referrals and staff have not come back to say that any of the above were still unresolved. This point is made in distinction with the general position at QEH, and across the country, that staff levels have been seriously affected and patient care also widely affected by the effects of COVID-19.

Of course there have been other issues as well during the last six months. Probably the most significant ones have been internal issues between staff in a wide range of different departments e.g. Urology, Maternity, Pharmacy, Obstetrics & Gynaecology and Radiology. As FTSUG I am aware of these problems, but not to the level of detail of the lead Executive Director, who investigates or co-ordinates, which is in my opinion, appropriate. It is important that I am aware in general terms of these kind of situations, particularly as sometimes other staff or FTSU Champions come to me about the same or similar issues in those departments. I am also aware that there is work underway in each case to address the issues, which include a combination of HR processes underway/due to conclude and bespoke culture and organisational development programmes with these services/departments.

Examples of other issues include: conflict between two senior colleagues; concern about medical cover / supervision for Junior Doctors at the beginning of August 2020 – very quickly responded to and lessons learnt for next year; backlog and staffing levels in Occupational Health; an allegation of bullying in Estates; a complaint about the attitude of a member of HR; problems with building work on the opening of the Sandringham ward; equity of Long Service Awards and respect of supernumerary status of student nurses.

In each Speak Up case the relevant Executive Lead has responded in a timely way and resolution/next steps clearly communicated to me as FTSUG.

3. Speaking Up referrals made directly to CQC

During the period September 2020 to the end of November 2020 there were 6 whistleblowing concerns raised directly with the CQC. All 6 concerns varied in nature with no generic themes, however all 6 highlighted the importance of responsiveness, including clear and timely communication with staff. Whistleblowing concerns were raised in both Corporate and Divisional service areas and included Pharmacy, Occupational Health, Urology, Radiology, Marham Ward and Human Resources. 5 of these cases have been closed by the CQC after the Trust provided sufficient assurance and evidence and one remains open, with weekly updates being provided to the CQC to ensure the improvement and progress is sustained.

There is a general trend of fewer whistleblowing cases and complaints direct to CQC and more referrals via internal, QEH routes and channels, including the FTSU Guardian and Champions, which is a sign of a healthy culture.

4. FTSU Champions & Culture Transformation Programme involvement

We currently have 18 FTSU Champions at QEH, most of whom have been carrying out the role for just under a year. Our Champions include QEH staff, a volunteer and a Governor. They are picking up on individual issues, sometimes through conversations with staff, but also assisting staff in speaking up about issues. Usually Champions do this on their own initiative entirely, sometimes they make contact with the FTSU Guardian in order to agree a way forward. There are monthly meetings with the Champions, Chaired by the Deputy CEO, and attended by the FTSUG.

Our FTSU Champions are engaging at an early stage with the Cultural Transformation programme, which is currently being rolled out to all staff. One of the four workstreams as part of the Trust's Culture Transformation Programme is 'Speaking Up Safely'; the Executive Lead is the Deputy CEO and Deputy Chair of this workstream the FTSUG. The aim is to give staff the skills to give and receive feedback, with a focus on respectful resolution of poor behaviour and bullying, and where possible informal resolution of such issues. Monthly updates on the Culture Transformation Programme are being received by the Senior Leadership Team and People Committee.

As FTSUG I have already noticed that some of the issues Champions are taking up are to do with organisational culture – notably teamwork, kindness, support of others and concerns about patients on non COVID-19 wards. All these are very important at this time, when COVID-19 is at such a high level within the hospital.

5. Freedom to Speak Up – weekly and quarterly meetings

Since the end of 2020, weekly meetings have been taking place with the CEO, Deputy CEO, Director of HR and Deputy Director of HR to discuss progress with Employer Relations cases and Speak Up cases. This is helping to ensure cases are addressed and progressed in a timely and appropriate way and also triangulation between HR and Speak Up cases.

Quarterly meetings focused in Speak Up continue to take place, with the third meeting in January 2021, and are supported by the CEO, Deputy CEO, Non-Executive Director Lead for Speak Up and FTSUG, with other Executive Directors attending as appropriate.

6. Internal Audit conclusion – Freedom to Speak Up

An Internal Audit review, which was completed in November 2020, concluded 'Partial Assurance with improvement required', which is where we expected to be at this stage in our journey.

An action plan has been produced and focuses on the following areas:

- Further strengthening our recently merged Speaking Up Policy, in line with best practice
- Further work with the FTSUG and Champions to raise awareness of the Speak Up channels and routes in the organisation
- Review the resource allocated to the FTSUG role to assess if needs are adequately met
- Introduction of a formal process for monitoring whether staff are detrimentally affected as a result of Speaking Up
- The FTSUG being aware of the themes of FTSU Champion discussions with staff that do not require formal escalation

7. 2021 priorities for Speak Up

- Responding to the Internal Audit results in line with the associated action plan
- Reviewing the benchmarking recently completed which compares QEH arrangements for Speak Up with other Trusts
- Succession planning for the FTSUG role – mindful that our current Guardian will step down by September 2021