Agenda Item No.16

NHS
The Queen Elizabeth Hospital King's Lynn
NHS Foundation Trust

REPORT TO THE BOARD DIRECTORS (IN PUBLIC)

RESPONSIBLE DIRECTOR:	REPORT FOR:		IMPACT ON BUSINESS:		
E Libbey, Trust Chair and Mandy Ashton, NED and FTSUG	Decision	√	High	Med	Low
	Discussion	√		√	
	Information				
LEAD MANAGER:	**REPORT TYPE:**		**BAF REFERENCES & RAG:**		
Jon Green, CEO	Strategic				
	Operational				
	Governance	√	**RELATED WORK: (PREVIOUS PAPERS TO COMMITTEE)**		
PEER ASSIST:	**PEER REVIEW:**				
Gill Rejzl, Trust Secretary	N/A				
CQC Domain: (safe, caring, effective, responsive, well-led)	Well-led				

Meeting Date: **29 May 2018**

Report Title: **Freedom to Speak-Up Guardian - update**

PURPOSE:

In line with national guidance and CQC 'Well-Led' criteria, this paper makes proposals to contribute to the further development of the Trust's patient safety culture through its encouragement of people who have concerns about patient safety, to 'speak up' safely and with confidence.

SUMMARY:

This report seeks to:

- Update the Board in respect of the Trust's Freedom to Speak Up Guardian (FTSUG)
- Signpost additional national guidance
- Provide a framework for the Board to articulate and agree a 'Speaking Up' Vision
- Identify the Trust's NED and ED 'Speaking Up' leads
- Invite the Board to approve the Trust's 'Freedom to Speak Up' policy
- Facilitate the Board's agreement on 'next steps'

RISK ASSESSMENT (CROSS-REFERENCE WITH RISK REGISTER WHERE APPROPRIATE):

Strategic / External	Operational/ Organisational	Financial	Clinical	Legal/ Regulatory	Reputational / Patient Experience
				√	

RECOMMENDATION/S:

The Board is invited to:

- Note the revised national 'Speaking Up' guidance
- Agree the Board's 'Speaking Up' Vision
- Agree its NED and ED 'Speaking Up' leads
- Approve the Trust's 'Speaking Up' Policy
- Agree next steps

1. Update

In accordance with national guidance, the Trust appointed an Independent 'Freedom to Speak Up Guardian' (FTSUG) in April 2017. The FTSUG engaged well with the National Guardian's Office and presented her first report to the QE Board in November 2017. The FTSUG subsequently resigned her position in November 2017. Currently, Non-Executive Director, Mandy Ashton, is the Trust's FTSUG.

Mandy's photograph and contact details have been shared across the Trust and following CQC inspection findings that some staff could not identify the FTSUG, Mandy's FTSUG profile has been relaunched and strengthened, via:

- Intranet
- A0 Photographic images/info. around the hospital
- FTSUG 'Bus Stops' and a programme of 'listening' opportunties for staff, advertised via the Trust's payroll (information attached to all payslips – accepted as the most effective way to reach all staff)

The Trust is expecting to appoint its next substantive FTSUG by August 2018 and is currently considering the relative benefits of a staff v. independent FTSUG.

The Care Quality Commission (CQC) assesses a trust's speaking up culture during inspections, under key line of enquiry (KLOE) 3 as part of the well-led question.

2. 2018 National Guidance – 'Freedom to Speak Up' and Policy

In May 2018, revised Freedom to Speak Up guidance was issued from NHSi and the National FTSU Guardian's Office (Appendix A and see link below).

https://improvement.nhs.uk/documents/2468/Freedom_to_speak_up_guidance_May2018.pdf

Key Board objectives of the guidance are to ensure that:

- Leaders are knowledgeable about FTSU
- Leaders have a structured approach to FTSU
- Leaders actively shape the speaking up culture
- Leaders are clear about their role and responsibilities
- Leaders are confident that wider concerns are identified and managed
- Leaders receive assurance in a variety of forms
- Leaders engage with all relevant stakeholders
- Leaders are focused on learning and continual improvement

In order to demonstrate its commitment to developing a 'Speaking Up Safely' culture, there are several early steps that the Board now needs to take:

- Identify NED Freedom to Speak Up oversight – it is proposed that the NED oversight role is fulfilled by Mandy Ashton and this makes it important for the Trust to make a substantive appointment to the FTSUG role by August 2018.
- Identify an Executive Lead for Freedom to Speak up. Duties include:

    - ensuring they are aware of latest guidance from National Guardian's Office
    - overseeing the creation of the FTSU vision and strategy
    - ensuring the FTSU Guardian role has been implemented, using a fair recruitment process in accordance with the example job description and other guidance published by the National Guardian
    - ensuring that the FTSUG has a suitable amount of ringfenced time and other resources and there is cover for planned and unplanned absence
    - ensuring that a sample of Speaking Up cases have been quality assured
    - conducting an annual review of the strategy, policy and process
    - operationalising the learning derived from speaking up issues
    - ensuring allegations of detriment are promptly and fairly investigated and acted on
    - providing the Board with a variety of assurances about the effectiveness of the Trust's strategy, policy and process, including the completion of the NGFTSU and NHSi Freedom to Speak Up self-review tool.

- Articulate the Board's Freedom to Speak Up Vision – see below and page 10 of the draft Speaking to Speak Up Policy (Appendix B)
- Approve its Freedom to Speak Up Policy (Appendix B). The proposed policy is based closely on the model policy offered by the National Guardian's Office and NHSi. The proposed policy aligns well with the Trust's current Whistleblowing Policy, which refers to options for staff to raise concerns with the FTSUG.
- Commit to undertaking a self-assessment, using the Freedom to Speak Up, Self-Review Tool. The self-review tool facilitates an in-depth review of leadership and governance arrangements in relation to FTSU and identifies areas to develop and improve.

3. Freedom to Speak Up Vision

In line with the vison articulated by Sir Robert Francis QC (2015) *Freedom to Speak Up: an independent report into creating an open and honest reporting culture in the NHS*, the following Vision Statement is proposed:

The Board of Directors of the Queen Elizabeth Hospital, Kings' Lynn, NHSFT commits to the further development of its patient safety culture, where people who have concerns about patient safety know how to 'speak up', and where:

- **People feel confident to speak up**
- **People feel safe to speak up**
- **Concerns are investigated**
- **Speaking up makes a difference**
- **Concerns are well-received**

4. Next Steps

- Executive Lead for 'Speaking Up' to:

    - Disseminate the Board's Freedom to Speak Up Vision and the Trust's Freedom to Speak Up policy – June 2018
    - Progress recruitment to substantive FTSUG – summer 2018

- Lead the Trust in its self-review – early June 2018

5. Recommendations

The Board is invited to:

- Note the revised national 'Speaking Up' guidance
- Agree the Board's 'Speaking Up' Vision
- Agree its NED and ED 'Speaking Up' leads
- Approve the Trust's 'Speaking Up' Policy
- Agree Executive next steps, to include the completion of the National Guardian Freedom to Speak Up and NHSi Freedom to Speak Up self- review tool.