

Freedom to Speak Up self-review tool for NHS trusts and foundation trusts

May 2018

How to use this tool

Effective speaking up arrangements help to protect patients and improve the experience of NHS workers. Having a healthy speaking up culture is evidence of a well-led trust.

NHS Improvement and the National Guardian's Office have published a [guide](#) setting out expectations of boards in relation to Freedom to Speak Up (FTSU) to help boards create a culture that is responsive to feedback and focused on learning and continual improvement.

This self-review tool accompanying the guide will enable boards to carry out in-depth reviews of leadership and governance arrangements in relation to FTSU and identify areas to develop and improve.

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. This guide is aligned with the good practice set out in the well-led framework, which contains references to speaking up in KLOE 3 and will be shared with Inspectors as part of the CQC's assessment framework for well-led.

Completing the self-review tool and developing an improvement action plan will help trusts to evidence their commitment to embedding speaking up and help oversight bodies to evaluate how healthy a trust's speaking up culture is.

Self review indicator (Aligned to well-led KLOEs)	To what extent is this expectation being met?	What are the principal actions required for development?	How is the board assured it is meeting the expectation? Evidence
Our expectations			
Leaders are knowledgeable about FTSU			
Senior leaders are knowledgeable and up to date about FTSU and the executive and non-executive leads are aware of guidance from the National Guardian's Office.	Partially – CEO, Exec, Guardian meetings monthly Meetings with senior leaders when concerns raised Updates at a national level reported to Board	Non-Exec Lead to be appointed (this is in process following previous person leaving) Consider formal training for Board	Board papers submitted on FTSU including presentations from Guardian
Senior leaders can readily articulate the trust's FTSU vision and key learning from issues that workers have spoken up about and regularly communicate the value of speaking up.	Partially - Deputy Director & above would be able to articulate the vision. Learning shared via committee and group reports		Regular Board reports and presentations on FTSU

They can provide evidence that they have a leadership strategy and development programme that emphasises the importance of learning from issues raised by people who speak up.	Yes – strategy being developed in line with other enabling strategies – completion Oct 18	FTSU Strategy to be developed	Board Development Meeting which has included training on FTSU
Senior leaders can describe the part they played in creating and launching the trust's FTSU vision and strategy.	Fully - Working group established in the development of FTSU including leaders from all areas of the Trust As part of current strategy development, all Execs briefed through TEG, Audit Committee and Board	As part of strategy development, 'Listening Events' taking place across the region with senior leaders engaged	Board regularly updated and cited on developments for FTSU.
Leaders have a structured approach to FTSU			
There is a clear FTSU vision, translated into a robust and realistic strategy that links speaking up with patient safety, staff experience and continuous improvement.	Partially – not fully documented within a strategy as of yet but this is in development. Links already in other strategies	Development of a FTSU Strategy	Other enabling strategies presented to Board and regular updates demonstrate the processes in place to help deliver the

	including clinical and quality improvement.		vision.
There is an up-to-date speaking up policy that reflects the minimum standards set out by NHS Improvement.	Fully – policy in place in line with national guidance		Board sighted on policy
The FTSU strategy has been developed using a structured approach in collaboration with a range of stakeholders (including the FTSU Guardian) and it aligns with existing guidance from the National Guardian.	Partially – in development. ‘Listening events’ planned with staff and public to engage on feedback	Development of the strategy by October 2018	
Progress against the strategy and compliance with the policy are regularly reviewed using a range of qualitative and quantitative measures.	Partially – regular reports undertaken including full reviews, feedback requested and analysed by Guardian. Monthly meetings with CEO and Exec Director Quality to review concerns raised	Audit work in preparation including national data to assess the compliance and effectiveness	Bi-annual reports to Board

Leaders actively shape the speaking up culture			
All senior leaders take an interest in the trust's speaking up culture and are proactive in developing ideas and initiatives to support speaking up.	Fully – supported a Trust wide FTSU week. Releasing time for Advocates to support Guardian and giving Guardian protected time (22.5 hours p/w). Referenced within other strategies to incorporate speaking up		
They can evidence that they robustly challenge themselves to improve patient safety, and develop a culture of continuous improvement, openness and honesty.	Fully – Incident Review Group fortnightly review of incidents, complaints etc. Quality Improvement Strategy, full compliance with Duty of Candour.	Embedding of quality improvement across the organisation.	
Senior leaders are visible, approachable and use a variety of methods to seek and act on feedback from	Partially – a range of methods actioned to	Involvement of senior leaders in regular scheduled programme	Bi-annual reports to Board and presentations

workers.	receive feedback including FTSU, 'Listening Events', Team Brief. Positive engagement from all areas with FTSU process.	of inspections for improvement visits in all localities	from Guardian.
Senior leaders prioritise speaking up and work in partnership with their FTSU Guardian.	Fully – meetings between FTSU Guardian and senior managers within all areas.	Need to ensure all meetings are prioritised and not cancelled.	Regular slot for delivery on Board meetings to update on progress and for assurance.
Senior leaders model speaking up by acknowledging mistakes and making improvements.	Fully – during meetings with CEO and Execs, acknowledgement of improvements required	Discuss with Steve	Board and committee paper Senior leader PDRs
The board can state with confidence that workers know how to speak up; do so with confidence and are treated fairly.	Partially – evidence through Datix of concerns raised, numbers benchmarked against other Trusts and feedback collated from those who	This needs promoting further and ensuring access for vulnerable groups as staff survey still highlights issues with staff having confidence to speak up	Benchmarking data shared with Board

	have raised concerns		
Leaders are clear about their role and responsibilities			
The trust has a named executive and a named non-executive director responsible for speaking up and both are clear about their role and responsibility.	Partially – named Executive.	In the process of identifying a new named non-executive director following departure of previous NED lead	Board and Quality Committee/Audit Committee reports
They, along with the chief executive and chair, meet regularly with the FTSU Guardian and provide appropriate advice and support.	Fully – regular meetings with CEO and Exec Director. When necessary raised issues with Chair.		Board and Quality Committee/Audit Committee reports FTSU log
Other senior leaders support the FTSU Guardian as required.	Fully – time allowed to function as Guardian with protected time, regular meetings with senior managers to discuss concerns		Board and Quality Committee/Audit Committee reports

Leaders are confident that wider concerns are identified and managed			
Senior leaders have ensured that the FTSU Guardian has ready access to applicable sources of data to enable them to triangulate speaking up issues to proactively identify potential concerns.	Partially – potential to develop additional data for triangulation	Need to enable further access and put in place a more formal process of amalgamation of concerns with other safety issues identified. Potential for further triangulation of data with exit interviews, outcomes from bullying and harassment concerns	Board and Quality Committee/Audit Committee reports
The FTSU Guardian has ready access to senior leaders and others to enable them to escalate patient safety issues rapidly, preserving confidence as appropriate.	Fully – regular meetings with all senior leaders, managed by Head of Investigations & Learning for any rapid escalation, regular meetings with CEO		Board and Quality Committee/Audit Committee reports FTSU Log

Leaders receive assurance in a variety of forms			
Workers in all areas know, understand and support the FTSU vision, are aware of the policy and have confidence in the speaking up process.	Fully – a range of staff accessing the process, posters advertised, FTSU week, launch campaign. Many people raising concerns and giving positive feedback.	Development work to ensure this is reached out to sub-contractors also.	
Steps are taken to identify and remove barriers to speaking up for those in more vulnerable groups, such as Black, Asian or minority ethnic (BAME), workers and agency workers	Fully – Guardian regularly attends BME, LGBT groups. Training delivered in universities, to volunteers etc. Presented at national conference on 'Visibility & Reach'	Further development work to be done to access sub-contractors	Board reports and presentations

Speak up issues that raise immediate patient safety concerns are quickly escalated	Fully – limited ‘immediate’ patient safety concerns raised to date. When necessary these are severity assessed and managed appropriately to ensure ‘quick’ escalation.		Board and Quality Committee/Audit Committee reports FTSU Log
Action is taken to address evidence that workers have been victimised as a result of speaking up, regardless of seniority	Fully – evidence with one case where this has been stated, independent review has been identified		Board and Quality Committee/Audit Committee reports FTSU Log
Lessons learnt are shared widely both within relevant service areas and across the trust	Partially – some learning shared, need to do further work on this to share the learning from concerns, key themes and lessons identified in TMG incident and lessons	Development of a FTSU notice to be issued following closure of the concern to share the learning across the Trust	Board and Quality Committee/Audit Committee reports

	learned reports		
The handling of speaking up issues is routinely audited to ensure that the FTSU policy is being implemented	Partially – feedback taken from people who have raised concerns as to whether they would access the process again, whether the Guardian has taken the concern seriously, how easy the process was to access etc.	Addition into internal audit programme for the Trust 19/20	Board and Quality Committee/Audit Committee reports
FTSU policies and procedures are reviewed and improved using feedback from workers	Fully – policy developed within working group with operational staff representation. Policy reviewed within first 2 years of implementation.		Board and Quality Committee/Audit Committee reports

The board receives a report, at least every six months, from the FTSU Guardian.	Fully – report produced for Board, including annual report		Report and presentation
Leaders engage with all relevant stakeholders			
A diverse range of workers' views are sought, heard and acted upon to shape the culture of the organisation in relation to speaking up; these are reflected in the FTSU vision and plan.	Fully – working group was represented across the Trust, 'Listening Events' planned to get views on the vision and strategy	Development of the strategy and engagement with the Critical Friends Network as part of this.	
Issues raised via speaking up are part of the performance data discussed openly with commissioners, CQC and NHS Improvement.	Fully – updates provided to commissioners on a bi-monthly basis. NHSI don't discuss individual cases but would do this if seniority required to do so. CQC engagement meetings where FTSU is on the agenda.		Board and Quality Committee/Audit Committee reports Reports to Contract Management Board, CQC and NHS Improvement engagement agendas.

	Themes provided.		
Discussion of FTSU matters regularly takes place in the public section of the board meetings (while respecting the confidentiality of individuals).	Fully – FTSU Guardian attends public board		Guardian attends public board periodically to present
The trust's annual report contains high level, anonymised data relating to speaking up as well as information on actions the trust is taking to support a positive speaking up culture.	Fully – included within the Quality & Safety annual report		Annual report/Quality Accounts. AGM presentation/report
Reviews and audits are shared externally to support improvement elsewhere.	Fully – ambulance network established for FTSU to review the ambulance data and share any learning		Board and Quality Committee/Audit Committee reports National benchmarking data
Senior leaders work openly and positively with regional FTSU Guardians and the National Guardian to continually improve the trust's speaking up culture	Fully – National Guardian visited the Trust 31 July 2018. Exec Medical Director, Executive Director of Quality, Governance and Performance Assurance,		Previously appointed Non-Exec Lead has met with the National Guardian as well as receiving assurance from CEO and Execs.

	Chairman and CEO have met with the National Guardian.		
Senior leaders encourage their FTSU Guardians to develop bilateral relationships with regulators, inspectors and other local FTSU Guardians	Fully – national ambulance network co-chair by YAS, email correspondence to the CQC and met with CQC as part of inspection process.		Board and Quality Committee/Audit Committee reports CQC correspondence
Senior leaders request external improvement support when required.	Fully – one concern escalated to NHS Improvement for an independent review of an area of business. Ongoing work with NHSI and Improvement Academy for other areas of improvement work.		Board and Quality Committee/Audit Committee reports FTSU Log

Leaders are focused on learning and continual improvement			
Senior leaders use speaking up as an opportunity for learning that can be embedded in future practice to deliver better quality care and improve workers' experience.	Fully – engaging with the Guardian on safety and improvement concerns.		Significant events & lessons learned report to Quality Committee and Board
Senior leaders and the FTSU Guardian engage with other trusts to identify best practice.	Fully – national and regional ambulance networks.		Board and Quality Committee/Audit Committee reports
Executive and non-executive leads, and the FTSU Guardian, review all guidance and case review reports from the National Guardian to identify improvement possibilities.	Fully – all reports reviewed by the Guardian and any concerns escalated to internal management teams		Board and Quality Committee/Audit Committee reports
Senior leaders regularly reflect on how they respond to feedback, learn and continually improve and encourage the same throughout the organisation.	Partially – good response at senior leadership level but needs further work to embed this throughout the	Strengthen the application of this across the organisation.	Case discussion in meetings Board and Quality Committee/Audit Committee reports

	organisation.		
The executive lead responsible for FTSU reviews the FTSU strategy annually, using a range of qualitative and quantitative measures, to assess what has been achieved and what hasn't; what the barriers have been and how they can be overcome; and whether the right indicators are being used to measure success.	Partially – Annual review of implementation plan and effectiveness of FTSU. Exec lead reviews concerns and outcomes currently but not as part of strategy review	Strategy to be developed with outcomes to measure against – completion Oct 18	Board and Quality Committee/Audit Committee reports
The FTSU policy and process is reviewed annually to check they are fit for purpose and realistic; up to date; and takes account of feedback from workers who have used them.	Fully – reviewed annually with relevant stakeholders		Board and Quality Committee/Audit Committee reports
<p>A sample of cases is quality assured to ensure:</p> <ul style="list-style-type: none"> the investigation process is of high quality; that outcomes and recommendations are reasonable and that the impact of change is being measured workers are thanked for speaking up, are kept up to date throughout the investigation and are told of the outcome 	Partially – feedback is currently in place which is reviewed.	<p>Audit process to be developed with the Head of Investigations & Learning.</p> <p>FTSU to be included in internal audit plan for 19/20</p>	Board and Quality Committee/Audit Committee reports

<ul style="list-style-type: none"> Investigations are independent, fair and objective; recommendations are designed to promote patient safety and learning; and change will be monitored 			
Positive outcomes from speaking up cases are promoted and as a result workers are more confident to speak up.	Partially – feedback is given to the person raising the concern and thanked for raising the concern	Need to promote the learning further. Learning is triangulated with other reports to management groups and Quality Committee.	Board and Quality Committee/Audit Committee reports
Individual responsibilities			
Chief executive and chair			
The chief executive is responsible for appointing the FTSU Guardian.	Fully – B7 Guardian appointed		
The chief executive is accountable for ensuring that FTSU arrangements meet the needs of the workers in their trust.	Fully		
The chief executive and chair are responsible for ensuring the annual report contains information about FTSU.	Fully		

The chief executive and chair are responsible for ensuring the trust is engaged with both the regional Guardian network and the National Guardian's Office.	Fully		
Both the chief executive and chair are key sources of advice and support for their FTSU Guardian and meet with them regularly.	Fully		
Executive lead for FTSU			
Ensuring they are aware of latest guidance from National Guardian's Office.	Fully		
Overseeing the creation of the FTSU vision and strategy.	Fully		
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.	Fully		
Ensuring that the FTSU Guardian has a suitable amount of ring fenced time and other resources and there is cover for planned and unplanned absence.	Fully – 22.5 hours per week		

Ensuring that a sample of speaking up cases have been quality assured.	Partially. All cases reviewed as part of ongoing log via regular meeting with FTSUG, Head of investigations & learning, CEO, Exec Lead and HRD	To develop more structured QA process	FTSU Log
Conducting an annual review of the strategy, policy and process.	Partially Annual review of current arrangements completed	Strategy to be developed – Publish Oct 18	
Operationalising the learning derived from speaking up issues.	Partially Individual issues reviewed via log and regular meetings	To share the learning better from FTSU	FTSU log
Ensuring allegations of detriment are promptly and fairly investigated and acted on.	Fully		Board and Quality Committee/Audit Committee reports FTSU Log

Providing the board with a variety of assurance about the effectiveness of the trusts strategy, policy and process.	Fully – Board reports, BDM meetings, annual report		Board and Quality Committee/Audit Committee reports
Non-executive lead for FTSU			
Ensuring they are aware of latest guidance from National Guardian's Office.	Partially – aware of expectations. However original NED lead has left the Trust. A new lead has been identified and will need appropriate briefing.		
Holding the chief executive, executive FTSU lead and the board to account for implementing the speaking up strategy.	Partially – As above. The role will be fully in place following briefing of new NED lead.		
Robustly challenge the board to reflect on whether it could do more to create a culture responsive to feedback and focused on learning and continual improvement.	As above. Newly nominated NED lead will be key contributor to		

	ongoing development.		
Role-modelling high standards of conduct around FTSU.	Partially – As above following appointment of new NED lead.		
Acting as an alternative source of advice and support for the FTSU Guardian.	Partially – as above. NED advice has been provided where necessary to the FTSU Guardian and Executive lead. The NED lead will be accessible to the FTSU Guardian as necessary.		
Overseeing speaking up concerns regarding board members.	Partially – This will be a key part of the newly appointed NED lead role.		
Human resource and organisational development directors			

Ensuring that the FTSU Guardian has the support of HR staff and appropriate access to information to enable them to triangulate intelligence from speaking up issues with other information that may be used as measures of FTSU culture or indicators of barriers to speaking up.	Partially – some access to information where appropriate	Need to ensure FTSU Guardian and HR leads join up discussions.	Board and Quality Committee/Audit Committee reports FTSU Log
Ensuring that HR culture and practice encourage and support speaking up and that learning in relation to workers' experience is disseminated across the trust.	Partially – reference to speak up process is part of HR approach	FTSU strategy will be fully aligned to the wider 'People' Strategy which is currently being developed – publish Oct 18	Board reports
Ensuring that workers have the right knowledge, skills and capability to speak up and that managers listen well and respond to issues raised effectively.	Partially – induction training, training for managers	To develop further training for managers to be able to handle concerns appropriately	Board reports
Medical director and director of nursing			
Ensuring that the FTSU Guardian has appropriate support and advice on patient safety and safeguarding issues.	Fully – meetings with Executive Medical Director and Executive Director of Quality for concerns raised		Concerns reported through CGG and Quality Committee.

Ensuring that effective and, as appropriate, immediate action is taken when potential patient safety issues are highlighted by speaking up.	Fully – FTSU links in with IRG which Medical Director chairs		Concerns reported through CGG and Quality Committee.
Ensuring learning is operationalised within the teams and departments that they oversee.	Actions ongoing from concerns are discussed with relevant department leads to ensure appropriate follow up.	Further development of how learning is shared within departments to ensure consistency of approach.	Board and Quality Committee/Audit Committee reports FTSU Log