



MEETING TITLE Trust Board Meeting in Public		MEETING DATE 28/11/2019	
TITLE of PAPER		PAPER REF	3.3
Freedom to Speak Up – 6 monthly update on activity and developments Q3 & Q4 18-19			
KEY PRIORITIES		Safe and Sustainable: Provide a safe, effective, caring and sustainable service for all patients Best People: Attract, develop and retain a highly skilled, engaged and diverse workforce	
PURPOSE OF THE PAPER		To provide an update on local and national FTSU activity across Q3 & Q4 18-19 to the Trust Board.	
For Approval		<input type="checkbox"/>	For Assurance
For Decision		<input type="checkbox"/>	<input type="checkbox"/>
		Discussion/Information	
		<input checked="" type="checkbox"/>	
AUTHOR / LEAD	Luzani Moyo, Freedom to Speak Up Guardian; Nicola Greenwood, Head of Investigations & Learning	ACCOUNTABLE DIRECTOR	Steve Page, Executive Director of Quality, Governance & Performance Assurance/Deputy Chief Executive
DISCUSSED AT / INFORMED BY – Reviews throughout the year at Trust Management Group Monthly meetings with the FTSU Guardian, the Head of Investigations & Learning and members of the Executive Team including the CEO.			
PREVIOUSLY AGREED AT:		Committee/Group: Not Applicable	Date:
RECOMMENDATION(S)		It is recommended that the Trust Board: <ul style="list-style-type: none"> notes the contents of this report receives assurance on the actions taken support proposals for further development and embedding of FTSU across the organisation. 	
RISK ASSESSMENT			Yes
			No
Corporate Risk Register and/or Board Assurance Framework amended <i>If 'Yes' – expand in Section 4. / attached paper</i>			<input type="checkbox"/>
			<input checked="" type="checkbox"/>
Resource Implications (Financial, Workforce, other - specify) <i>If 'Yes' – expand in Section 2. / attached paper</i>			<input type="checkbox"/>
			<input checked="" type="checkbox"/>
Legal implications/Regulatory requirements <i>If 'Yes' – expand in Section 2. / attached paper</i>			<input checked="" type="checkbox"/>
			<input type="checkbox"/>
Equality Impact Assessment <i>If 'Yes' – please attach to the back of this paper</i>			<input type="checkbox"/>
			<input checked="" type="checkbox"/>
ASSURANCE/COMPLIANCE			
Care Quality Commission Choose a DOMAIN(s)		5: Well led 1: Safe	
NHSI Single Oversight Framework Choose a THEME(s)		6. Leadership & Improvement Capability (Well-Led)	

1. PURPOSE/AIM

- 1.1 The purpose of this paper is to provide the Trust Board with an update on local and national Freedom to Speak Up (FTSU) activity across Q3 and Q4 2018-19.

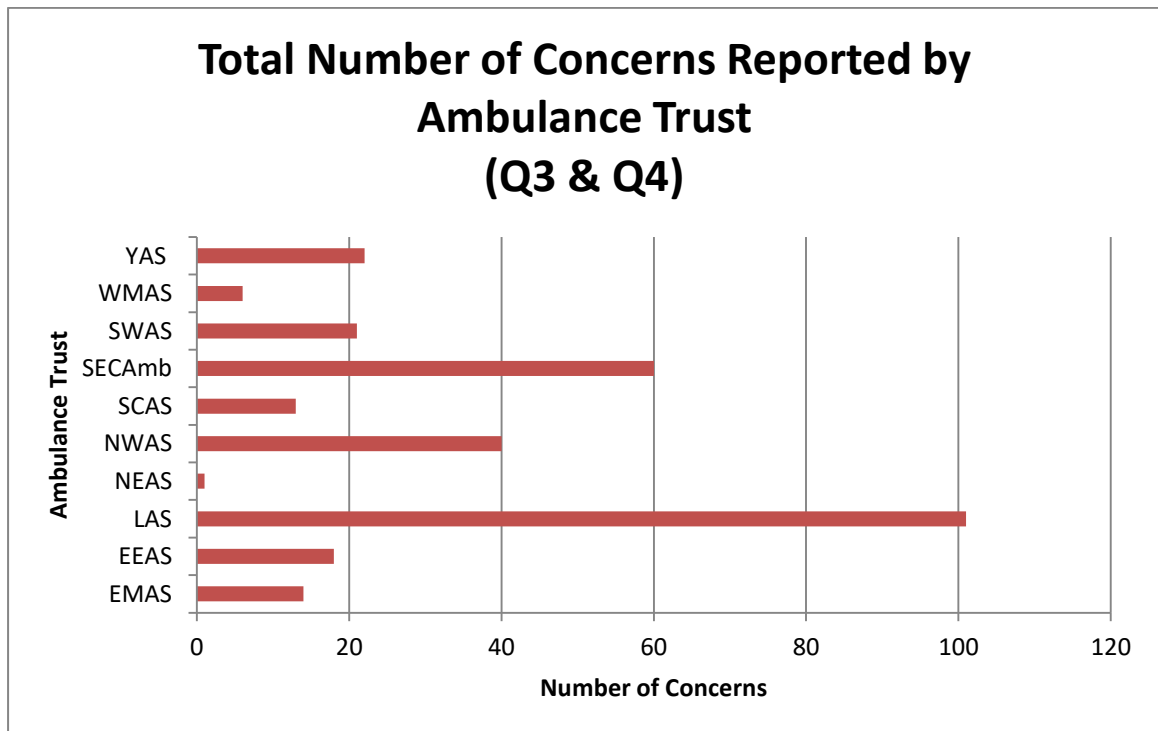
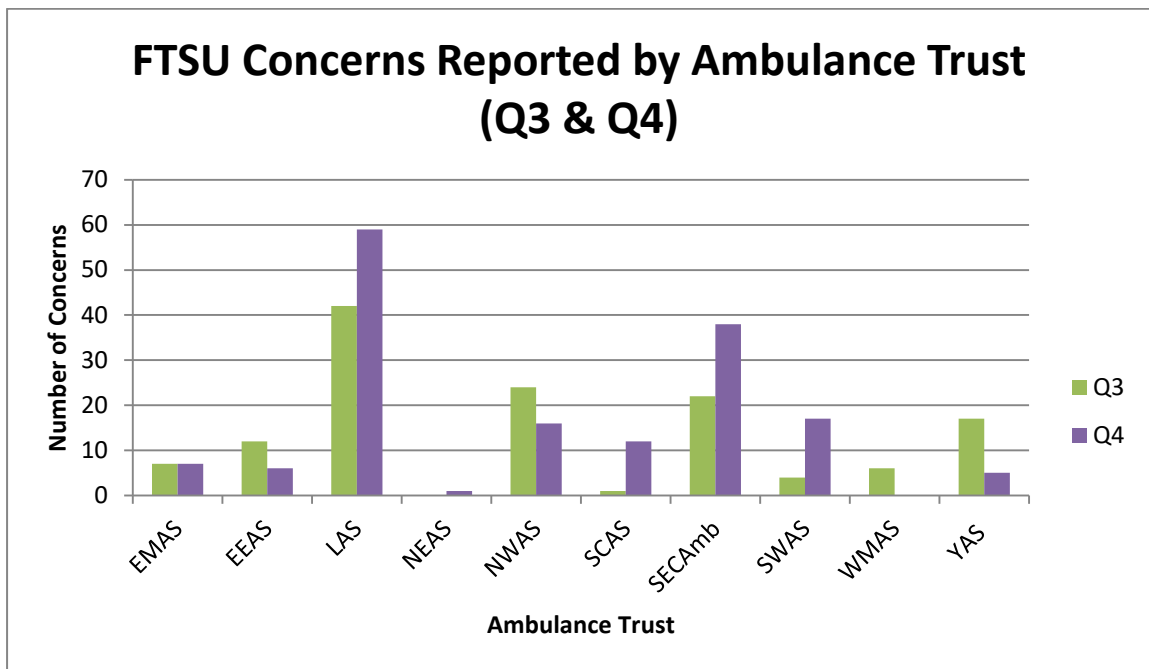
2. BACKGROUND/CONTEXT

- 2.1 “Freedom to Speak Up: An independent review into creating an open and honest reporting culture in the NHS” (Francis) was published in February 2015. The aim of the review was to provide advice and recommendations to ensure that NHS staff feel it is safe to raise concerns, confident that they will be listened to and the concerns will be acted upon.
- 2.2 Yorkshire Ambulance Service (YAS) NHS Trust was quick to implement the recommendations set out in the Freedom to Speak Up Review and has since continued to develop FTSU across the organisation, responding to national guidance when required and playing an active role in regional and national developments.
- 2.3 During this reporting period, the initial FTSU Guardian approached the end of secondment period and in result, in April 2019 a second FTSU Guardian was appointed. The FTSU Guardian is supported by ten FTSU Advocates spread geographically across the Trust and across the service lines.

3. NATIONAL FTSU CONCERNS

- 3.1 All NHS Trusts in England are required by the National Guardian’s Office (NGO) to submit brief details of all concerns raised through the FTSU process. The data available for the second two quarters of the 18-19 reporting period, specifically 1st October 2018 – 31st March 2019 has been extracted and reviewed. This report provides an overview of those concerns raised both locally and nationally providing Board members an opportunity to compare YAS FTSU activity with other ambulance Trusts in England.
- 3.2 There continues to be a difference of opinion as to what an open, engaging and transparent trust looks like in respect to the reporting of FTSU concerns. Some argue that a high number of reported concerns suggest an open and engaging workforce who are not afraid to report issues or concerns while a contrasting viewpoint argues that a low number of reported concerns indicates a ‘safe’ organisation. Irrespective of these two contrasting viewpoints there is a general consensus that all trusts will generate some FTSU concerns even in small numbers and those trusts who are reporting zero or “no data” may need to revisit their FTSU strategy. YAS actively promotes the reporting of FTSU concerns and it is expected that reporting figures will continue to increase.
- 3.3 It is to be noted that the number of FTSU cases reported is not the only measure of the speaking up/ safety culture in an organisation. YAS have alternate routes to raise concerns which may be dealt with locally such as reporting on Datix or via Clinical Supervision or Line Management. The YAS FTSU Route Map encourages concerns to be raised via an individual’s Line Management in the first instance, reporting to the FTSU Guardian or Advocate should a reasonable resolution not be achieved.

3.4 The two charts below indicate the number of FTSU concerns reported nationally for Q3 and Q4 (1st October 2018 to 31st March 2019).

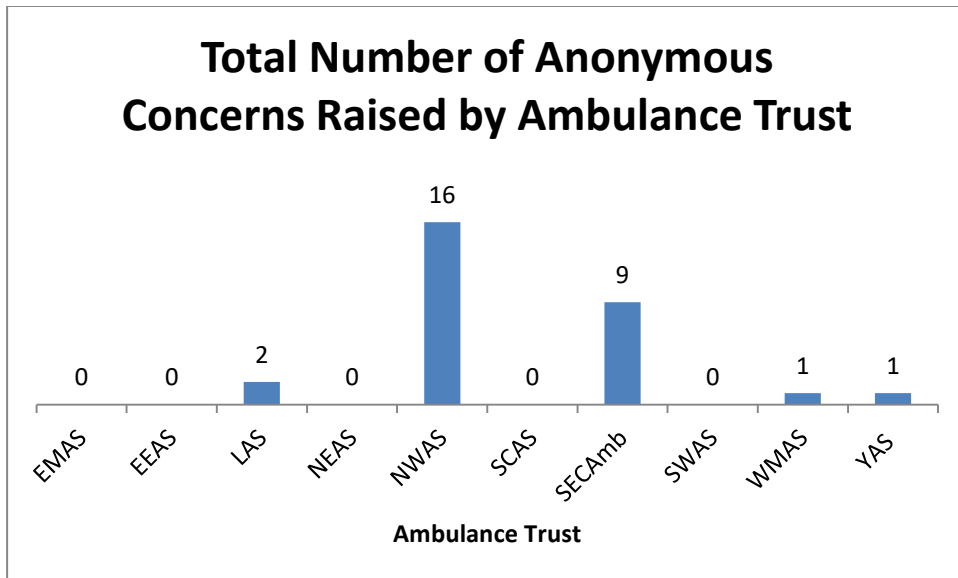


3.5 The NGO requests numerical data to be reported on FTSU concerns that meet the following criteria:

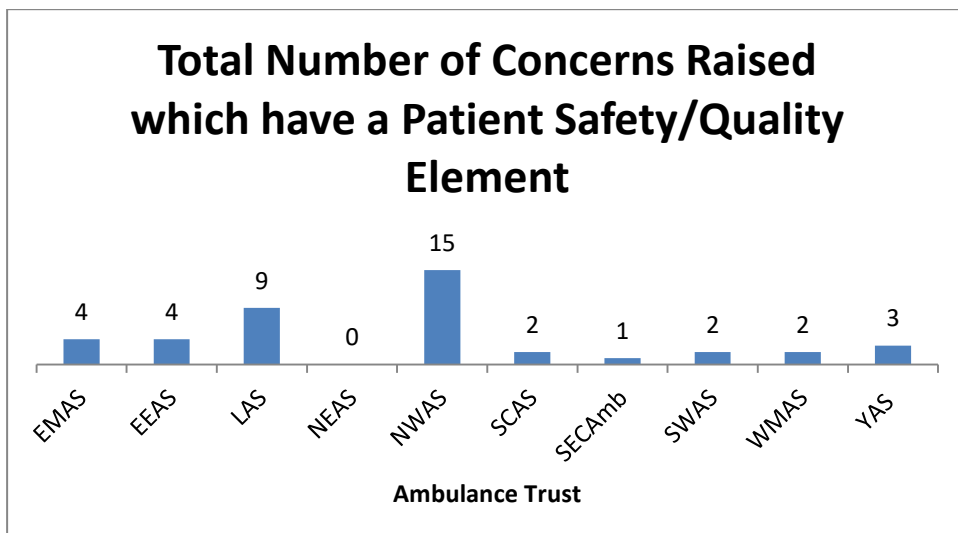
- The total number of concerns reported anonymously
- The total number of concerns which are believed to have an element of patient safety/quality
- The total number of concerns which are believed to have an element of bullying & harassment
- The total number of concerns where the reporter believes they are suffering detriment as a result of speaking up

The following four graphs indicate the responses for these categories from the ten ambulance trusts over the last two quarters (Q3 & Q4) of this reporting period.

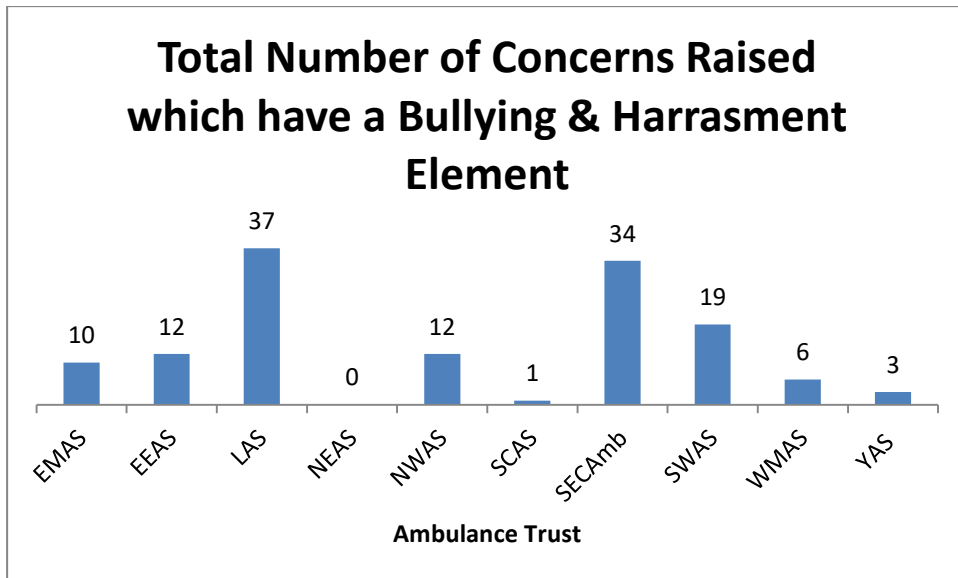
“Anonymous cases are those where the individual speaking up is unwilling to reveal their identity to you or to others i.e. you do not know who they are. The number of anonymous cases received may be an indicator of the level of trust workers have in the speaking up culture in the organisation.” [NGO 2018]



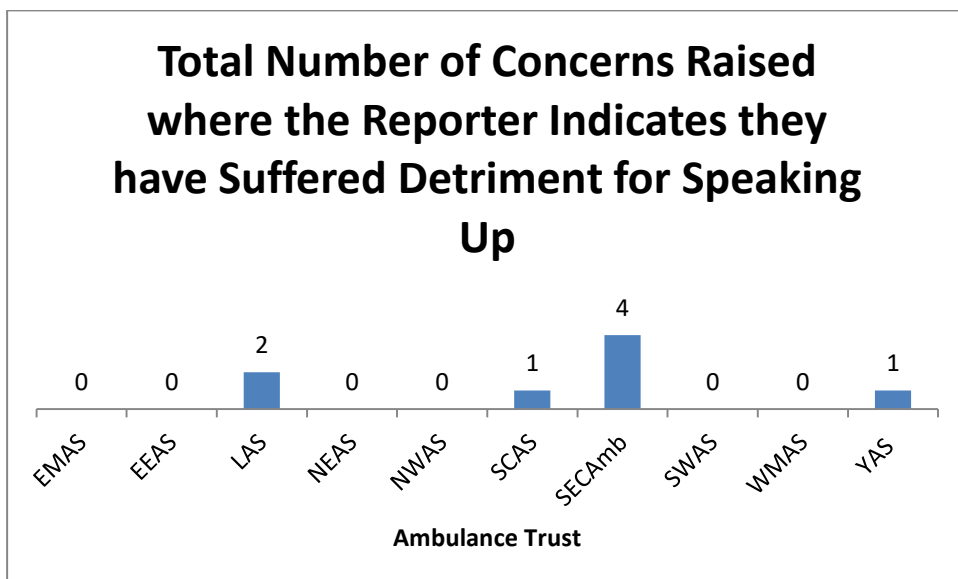
“Any case that includes elements that may indicate a risk of adverse impact on patient safety or the quality of care. Where it is not clear whether there is an impact on safety/quality without further investigation, but the individual raising the case believes that there is, then the case should still be recorded in this category.” [NGO 2018]



“Any case that includes an element of bullying or harassment. Where the individual raising the case believes that there is an element of bullying or harassment then the case should be recorded in this category. The NGO advises that the terms should be interpreted broadly and that the focus should be on the perceptions of the individual bringing the case.” [NGO 2018]



“Detriment can be described as any treatment which is disadvantageous and/or demeaning and may include being ostracised, given unfavourable shifts, being overlooked for promotion, moved from a team, etc. You should record the number of cases brought to you where an individual feels they have suffered detriment as a result of speaking up. In addition, should details of a case reveal elements of detriment as described, these should also be recorded even if the individual bringing the case does not identify detriment.” [NGO 2018]



4. YAS FTSU CONCERNS

4.1 When analysing the FTSU data for YAS for Q3 & Q4 18-19 with Q1 & Q2 2018-19, the total number of concerns raised is comparable (21 concerns raised Q1 & Q2 vs 22 concerns raised Q3 & Q4). A decrease in the number of concerns raised with a patient safety/ quality element (8 concerns raised Q1 & Q2 vs 3 concerns raised Q3 & Q4) in addition to a decrease in the number of concerns raised which have an element of bullying and harassment (8 concerns raised Q1 & Q2 vs 3 concerns raised Q3 & Q4) are apparent.

One concern was raised anonymously and one reporter felt they suffered detriment in result of speaking up. Unfortunately, no further information is available regarding the detriment.

- 4.2 The majority of the concerns reported during this period originate from staff working in A&E Operations (12 concerns) with five concerns raised from staff working in the Emergency Operations Centre (EOC). The remaining concerns were raised from Fleet services, Legal services and one concern was in relation to a member of staff from another NHS Trust, recorded by YAS for openness.
- 4.3 On reviewing the subject matter of all concerns raised during this reporting period, the noticeable recurring themes are allegations of bullying and harassment and failure to follow YAS protocol or procedure which primarily involved recruitment concerns in A&E Operations.

The subjects of other concerns raised are detailed briefly below:

- Health & wellbeing of staff
- Problems with collection of clinical waste
- Concern regarding the pairing of ECAs and LAT crews with little operational experience
- Effectiveness of EOC equipment
- Health & Safety at work
- Concern regarding inappropriate management of assessments during training
- Concern raised regarding CFR restructure

- 4.4 The progress of all concerns raised through the FTSU process is discussed at a fortnightly FTSU review meeting attended by the Chief Executive, the Executive Director for Quality, Governance & Performance Assurance, the Director for Workforce and Organisational Development, the Head of Investigations and Learning and the FTSU Guardian. It is felt that this approach ensures that any barriers or issues experienced by the FTSU Guardian when progressing concerns can be addressed quickly and appropriately. Moreover, this approach ensures senior leaders have greater visibility and understanding of the concerns being raised through FTSU.

5. LEARNING FROM FTSU

- 5.1 It is important that Trusts learn from concerns which staff raise through the FTSU process. As FTSU continues to embed itself as business as usual at YAS, the influence it is having in changes to working practices, policy and culture is starting to emerge. FTSU is represented at the following Trust working groups through the attendance of the FTSU Guardian, increasing assurance that vulnerable groups are supported to raise concerns:

- IUC
- Health & Wellbeing
- Diversity & Inclusion
- BME
- Cultural Ambassador

In addition, the principles of FTSU are now established in the induction training for new staff and the FTSU Guardian continues to reach out to all staff near and far through staff engagement events.

- 5.2 The process for receipt of feedback from those staff members who have engaged in the FTSU process is to be strengthened from Q3 19-20 to ensure the Trust are learning and acting on feedback from those involved.

6. NATIONAL DEVELOPMENTS Q3 & Q4 18-19

- 6.1 The NGO issued the expectation that all Trusts should have a strategy that outlines the vision for FTSU over coming years. In response, YAS launched the FTSU Strategy in January 2019 which outlined the Trust's ambitions over the next 5 year. The FTSU strategy forms part of the wider People Strategy and will be updated before the 20-21 fiscal year begins to reflect the current direction and developments of FTSU at YAS.
- 6.2 The Freedom to Speak Up Guardian survey published in November 2018 made recommendations to improve how the Guardian role was implemented and to provide additional support to those in the role. The recommendations included:
- Organisations should make an assessment of any groups that face particular barriers to speaking up and take action to ensure those barriers are tackled
 - Organisations should make an assessment of the time required by a guardian to carry out their role effectively and provide the necessary ring-fenced time
 - Time is provided to ensure that all organisations are represented at regional meetings

YAS complied with these recommendations. The FTSU Guardian post is three full days per week, supported by 10 Advocates. The Guardian is supported and encouraged to attend regional and national meetings where learning is shared and skills are developed. Whilst it is acknowledged that we reach out to groups which may face particular barriers to speaking up, work continues to improve this.

7. NATIONAL DEVELOPMENTS SINCE THIS REPORTING PERIOD

- 7.1 In July 2019, national guidance; 'Freedom to Speak Up: Guidance for Boards' was issued by NHS Improvement. The primary focus of the guidance is for organisations to assess what their senior managers' (Board) perception and reaction is when someone raises a concern to determine what the Trust's culture is on speaking up. The Trust has reviewed this identifying excellent compliance against the suggested recommendations. There are however, areas in which the Trust can develop and these will be considered for improvement over the next 12 months.
- 7.2 The national guidance suggests inviting those who have raised concerns to speak at Board meetings and suggests having a strong communication and engagement plan. Though the Trust has done elements of this, it is recognised that this could be further developed.

There has been an increased focus through planned engagement activity for the national FTSU month in September 2019. A longer term plan to create a FTSU video to share wider across the organisation is to be progressed. Consideration will be given to the use of staff stories in Board discussions, building on an approach which is well embedded for sharing of learning from patient stories.

- 7.3 To ensure a healthy and effective FTSU culture, a suggestion is made to undergo formal audit of FTSU effectiveness. The Trust have initiated an Internal audit to review the FTSU end to end process to establish areas of good practice and areas where development would be beneficial.
- 7.4 This guidance will form part of Key Line of Enquiry (KLOE) three well-led inspection packs of the CQC and includes reference to the self-assessment tool which the Trust completed in 2018. This will be refreshed every two years in line with the national best practice guidance.
- 7.5 In October 2019 the NGO published a FTSU Index Report. The index created a benchmarking tool to enable trusts to see at a glance how their FTSU culture compares with others. The data used was the responses to the following NHS Staff Survey questions:
 - The organisation treats staff who are involved in an error, near miss or incident fairly
 - The organisation encourages them to report errors, near misses or incidents
 - If they were concerned about unsafe clinical practice, they would know how to report it
 - They would feel secure raising concerns about unsafe clinical practice

Whilst YAS did not score highly, increased FTSU engagement and the impending refresh of our implementation plan and associated communications are likely to improve these figures for future publications. Articles to share learning from others Trusts were included in the report, some of which YAS will look to adopt over the next 12 months. In addition, early discussions have commenced in relation to a programme aligned to the clinical strategy, which will support a focus on clinical professionalism, including the importance of reflective practice and the benefits of raising concerns about clinical practice.

8. PROPOSALS/NEXT STEPS

- 8.1 The FTSU Guardian will continue to undertake outreach events alongside the FTSU Advocates to raise awareness of FTSU, reach those who may experience barriers to reporting and support staff who wish to raise concerns. Engagement at both a regional and national level will take the form of attendance at networking meetings and appropriate conferences.
- 8.2 In response to the recent national guidance and ongoing developments in YAS, identified areas for development will be considered for improvement over the next 12 months.

9. RISK ASSESSMENT

- 9.1 No new risks identified at the current stage in the process that require addition onto the risk register.

10. RECOMMENDATIONS

- 10.1 It is recommended that the Trust Board:
- notes the contents of this report
 - receives assurance on the actions taken
 - support proposals for further development and embedding of FTSU across the organisation.

11. APPENDICES / BACKGROUND INFORMATION

National Guardian Freedom to Speak Up Index Report 2019

<https://www.nationalguardian.org.uk/wp-content/uploads/2019/10/ftsu-index-report-2019.pdf>

Guidance for Boards on Freedom to Speak Up in NHS trusts and NHS foundation trusts

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