



MEETING TITLE Trust Board in Public		MEETING DATE 27/04/2021	
TITLE of PAPER	Freedom to Speak Up Review – Q2, Q3, Q4 2020/21	PAPER REF	TB21.007
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	The purpose of the paper is to provide the Board with an update on the concerns reported during Q2, Q3 & Q4 20/21, to share the learning identified and to provide an update on the response of YAS to recently published national developments and guidance.		
For Approval	<input type="checkbox"/>	For Assurance	<input checked="" type="checkbox"/>
For Decision	<input type="checkbox"/>	Discussion/Information	<input checked="" type="checkbox"/>
AUTHOR / LEAD	Luzani Moyo, Freedom to Speak Up Guardian	ACCOUNTABLE DIRECTOR	Steve Page, Executive Director of Quality, Governance & Performance Assurance / Deputy Chief Executive
DISCUSSED AT / INFORMED BY: – Monthly meetings with the FTSU Guardian, the Head of Investigations & Learning and members of the Executive Team including the CEO, Quality Committee and Audit Committee			
PREVIOUSLY AGREED AT:	Committee/Group:	Date:	
RECOMMENDATION(S)	It is recommended that the Trust Board takes assurance from the information provided and supports the further developments outlined in the paper		
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"/>
Equality Impact Assessment <i>If 'Yes' – expand in Section 2. / 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"/>
ASSURANCE/COMPLIANCE			
Care Quality Commission Choose a DOMAIN(s)	All		
NHSI Single Oversight Framework Choose a THEME(s)	2. Quality of Care (safe, effective, caring, responsive) 6. Leadership & Improvement Capability (Well-Led)		

1. PURPOSE/AIM

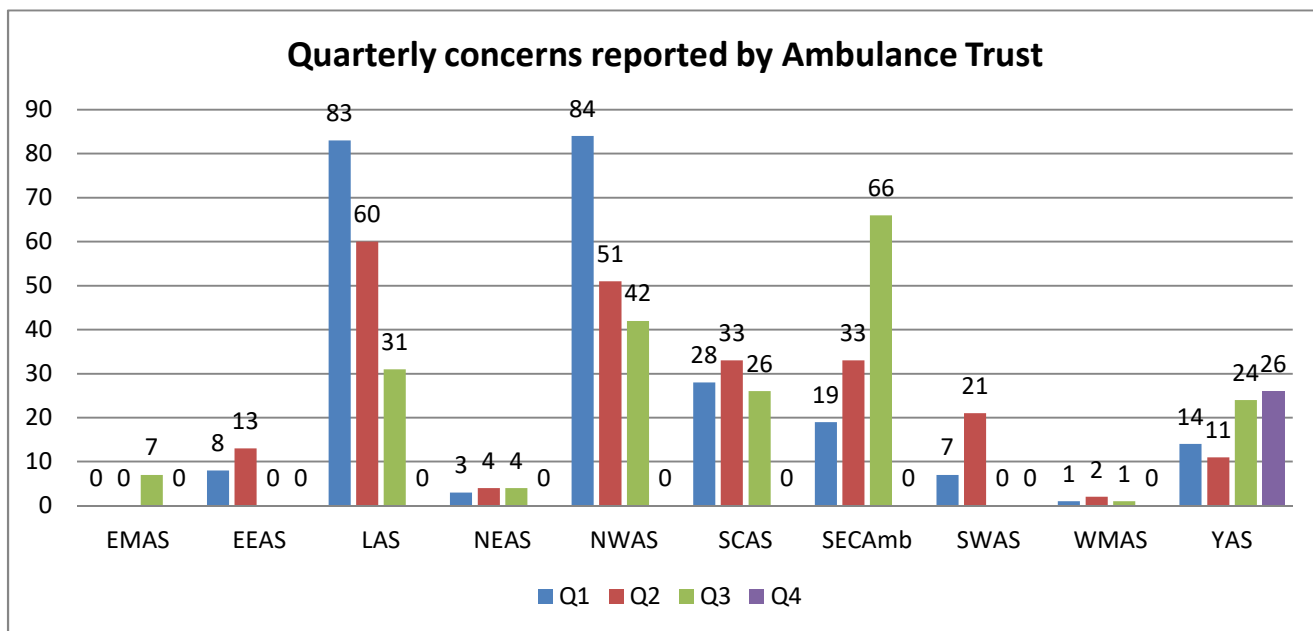
- 1.1 The purpose of the paper is to provide the Board with an update on the concerns reported during 2020 - 2021, to share the learning identified and to provide an update on the response of YAS to recently published national developments and guidance.

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 would feel 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 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. This provides an opportunity to compare YAS FTSU activity with other Trusts.

3. CONCERNS RAISED

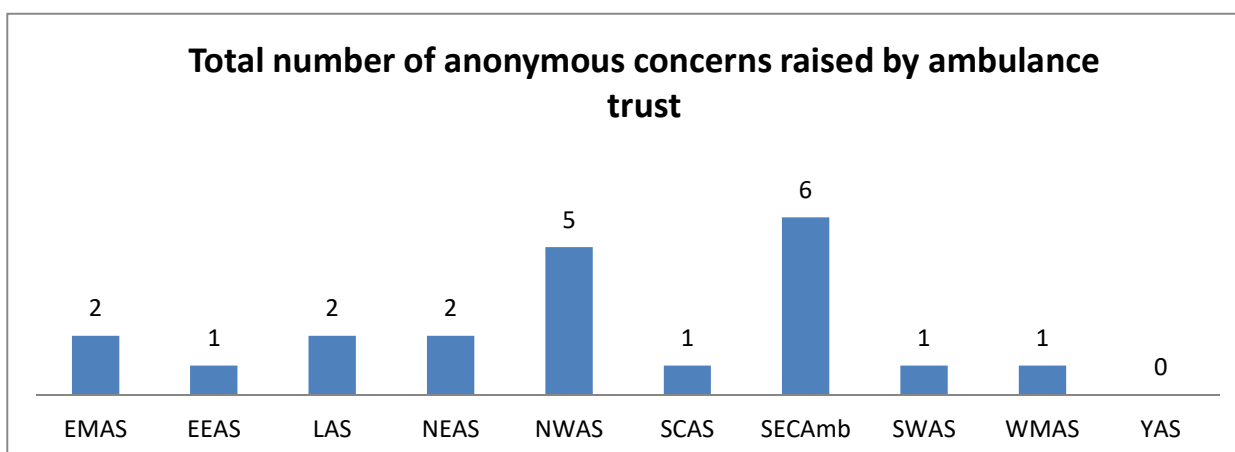
- 3.1 All NHS Trusts in England are required by the National Guardian’s Office (NGO) to submit brief details of all concerns raised through the FTSU process. The document “Guidance for Freedom to Speak Up Guardians, Recording Cases and Reporting Data” was updated by the NGO in July 2018. The definitions for the reporting categories have been provided wherever possible to provide board member with a better understanding of the data submitted by the trust.
- 3.2 There is always a difference of opinion around what an open, engaging and transparent Trust would look like in respect to 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.
- 3.3 The chart below indicates the number of FTSU concerns reported by quarter and in total for the full reporting periods Q2, Q3 and Q4. Q4 Data has not yet been published for all the other ambulance Trusts however YAS Q4 data is available and has been included in this report.



3.4 The NGO requests numerical data on concerns that meet the following criteria:

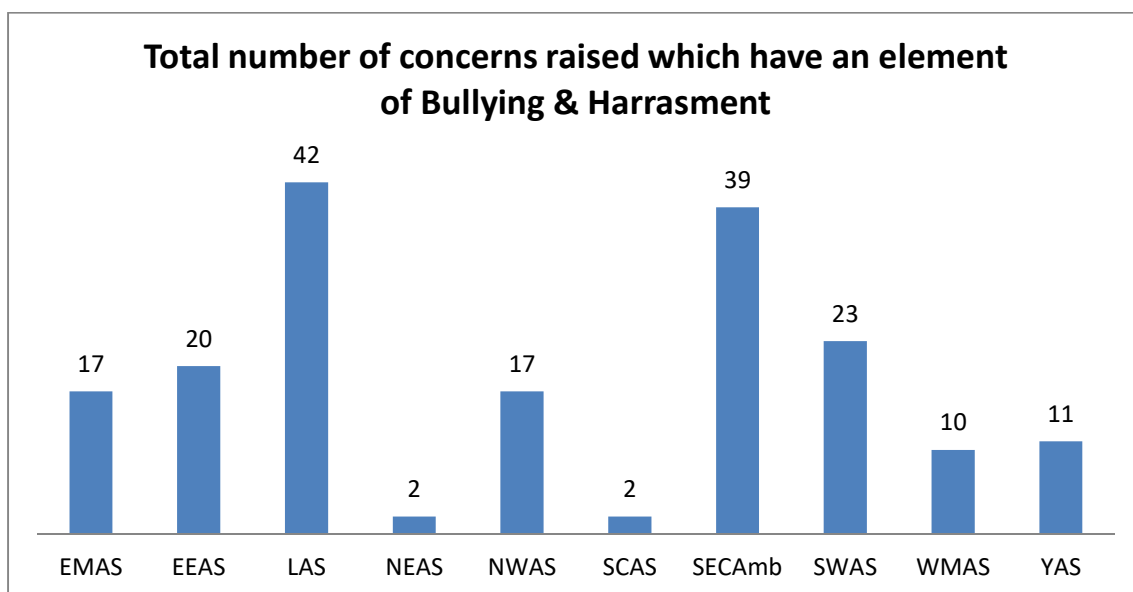
- The total number of concerns reported anonymously.
- The total number of concerns which are believed to have an element of patient safety/quality.
- The total number of concerns which are believed to have an element of bullying & harassment.
- The total number of concerns where the reporter believes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

3.5 The following charts indicate the responses for the categories above from the ten ambulance trusts.



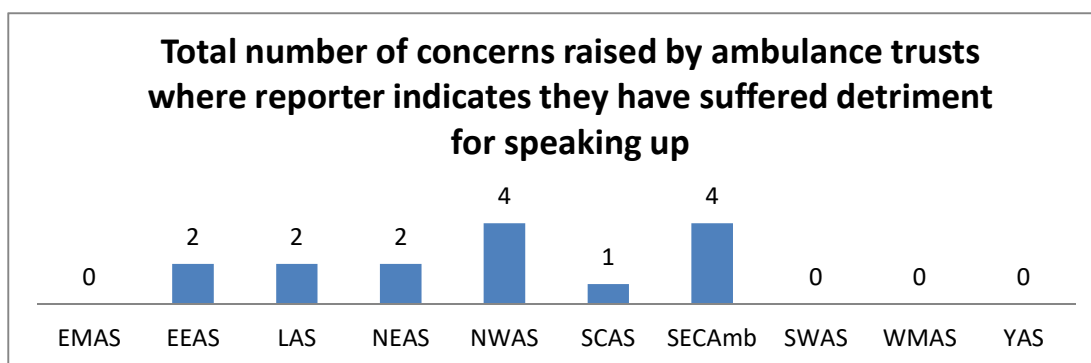
*Anonymous cases are those where the individual speaking up is unwilling to reveal their identity to you or to others i.e. you do not know who they are.
The number of anonymous cases received may be an indicator of the level of trust workers have in the speaking up culture in the organisation.” [NGO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

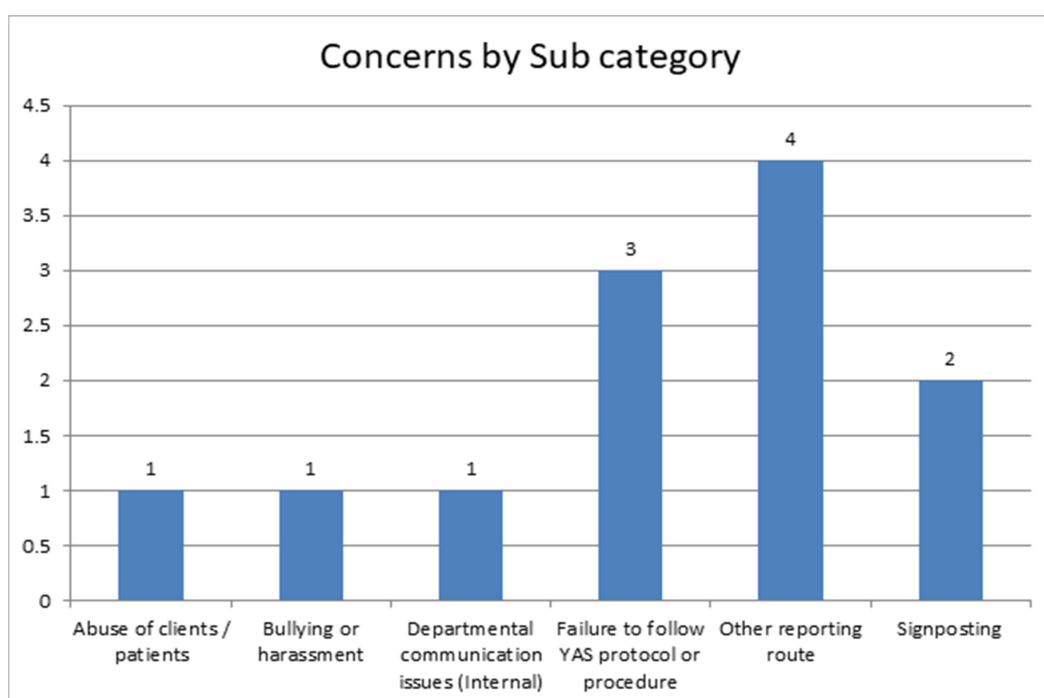
You should record the number of cases brought to you where an individual feels they have suffered detriment as a result of speaking up. In addition, should details of a case reveal elements of detriment as described, these should also be recorded even if the individual bringing the case does not identify detriment.”
 [NGO 2018]

4. UPDATE ON FTSU ACTIVITY DURING Q2, Q3 and Q4 2020/21

4.1 The progress of all concerns raised through the FTSU process is discussed at a fortnightly concern review meeting attended by the Chief Executive, the Executive Director for Quality, Governance & Performance Assurance, the Head of Employee Relations, the Head of Investigation and Learning and the FTSU Guardian to ensure that all concerns have been addressed quickly and resolved in a timely manner.

4.2 This report covers a summary of the concerns that were raised via FTSU in Q2, Q3 & Q4 2020/21.

During Q2, 12 concerns were raised and logged on the Datix system. These are presented in the following graph, broken down by reporting category:



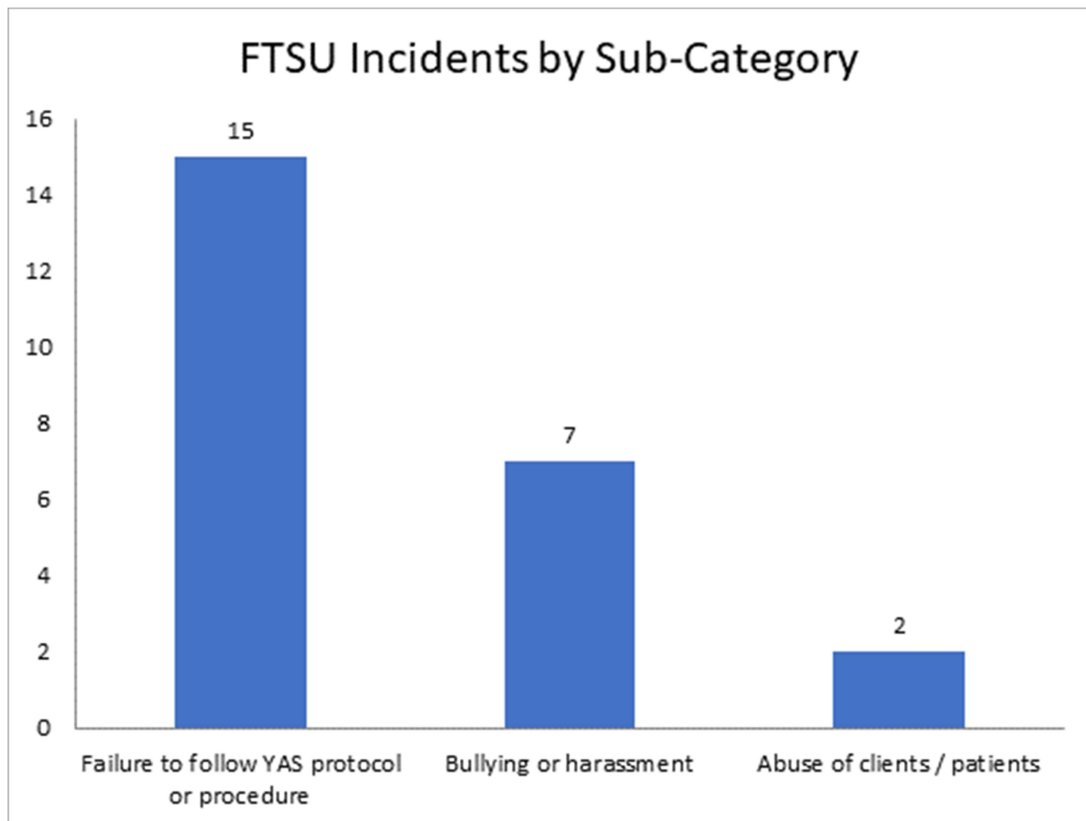
4.3 Of the concerns that were raised in Q2, one concern related to an allegation of bullying and harassment in support services and this concern was raised by a former YAS employee by letter.

- Two of the three concerns recorded under the subcategory of failure to follow YAS protocol or procedure related to the management of clinicians who had been suspended from their normal duties in Operations and one concern was in relation to the flagging of addresses where occupants could pose potential physical harm to responding crews.
- A concern about clinical role sliders not fitting the new high visibility tabard was signposted to the relevant department whilst a concern raised about the water problems at one of the stations was passed on to Estates and recorded under departmental communication issues.

- Four concerns came via 'other reporting route' and of these concerns one was related to the changes that had been made in operations in response to Covid19, relating to temporary registered paramedics wearing paramedic epaulettes. Two other concerns under this route were also from operations with one concern raised about the RAT cover in the South and a concern being raised about the post incident care of a staff member in the West.

The fourth concern which came via the other reporting route related to the end of year report submissions in a corporate function.

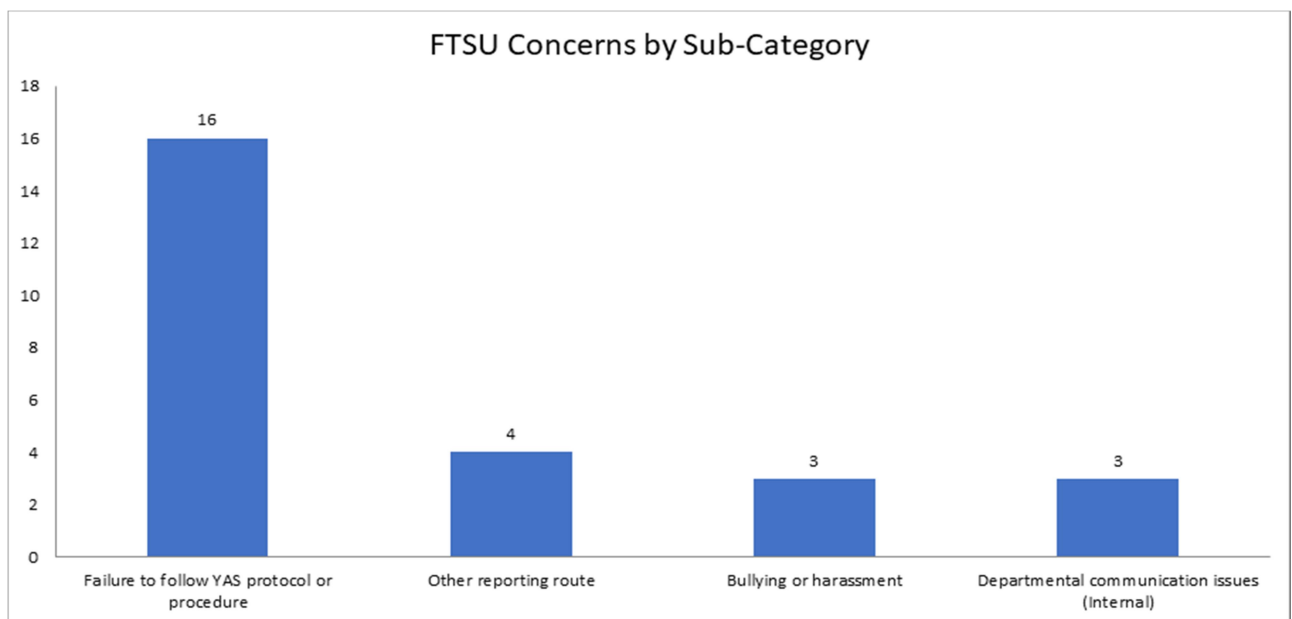
4.4 During Q3, 24 cases were raised and logged on the Datix system. A Brief outline of concerns raised is as follows:



- One concern related to an allegation that the transfer process was not being followed and that external applicants were filing up posts ahead of operational staff on the waiting list.
- A concern was raised about the disciplinary process with regards to a member of staff in operations accused of inappropriate and criminal behaviour towards a female colleague.
- One concern was raised that the Trust had not reported a clinician to the Health and Care Professions Council (HCPC) as per requirement after a registered member of staff had breached the ethical framework within which registrants must work.

- Seven concerns fell under bullying and harassment. The bullying concerns were raised across different departments, two were from the finance department, one bullying and harassment concern was raised in EOC, one was raised from the IUC, one from the fleet department, there was one concern raised from A/E operations and the final concern under the subcategory of bullying and harassment was in relation to a social media platform used by staff members (One YAS).
- A significant number of the concerns were raised under the subcategory of failure to follow policy or procedure, of these concerns five were related to Covid- 19.

4.5 During Q4, 26 concerns were raised and logged on the Datix system. These are presented in the below graph, broken down by reporting category.



4.6 Of the concerns that were raised in Q4, one concern related to the working environment in the Emergency Operations Centre (EOC) in York where the heating system had not been working properly. This concern was signposted to the estates department.

- A concern was raised in the EOC, about alleged online abuse of a staff member to another staff member, assurances have been given by Human Resources (HR) that support is being given to the individual with the involvement of Safeguarding and Health and wellbeing.
- Three concerns were by staff in A/E Operations in North Yorkshire, relating to their shift pattern and the time spent travelling to and from their respective base stations to work. These concerns were passed on to local the HR and local senior management team for oversight. Arrangements were made for each of the individuals on a welfare basis to discuss options including flexible working. The Trust is currently looking at improving end of shift finish times.

- A concern was raised that A/E operational staff are still having to use their own mobile phones for work related purposes. The Trust is in the process of providing mobile phones for all frontline staff and these mobile phones will be rolled out soon.
- Three concerns fell under bullying and harassment, two of the concerns were about online abuse of members of staff by other members of staff and the third concern was about alleged bullying and harassment in the Community Response team. All the concerns raised in this category are being dealt with by Human Resources.
- A concern was raised in A/E operational operations about some new cannulae that are on trial and there was a concern that the ambulance response bag wasn't fit for purpose. There already a working group that was looking into improving the ambulance response bag. The cannula trial was recently discussed at a meeting with the Deputy Medical Director and it was agreed that any safety concerns would be reviewed with the view to making a decision to suspend temporarily for assurance purposes.
- A concern was raised in A/E operations about what appeared to be the lack of advanced pre- hospital care support for patients in the South region. The local management team is looking into the concerns that were raised and the interim sector commander is to have a meeting with the concerned member of staff.
- A significant proportion of the concerns were raised under the subcategory of failure to follow policy or procedure. Of these concerns, one related to data flagging and information that is passed on to crews and this is currently being looked into. Overall, four concerns related to online behaviours by staff. Alleged bullying and harassment concerns were lower than the last quarter with three being recorded during this period compared to seven in the last quarter. Discussions are ongoing about online behaviours with the involvement of HR and Corporate Communications

4.7 All of the concerns highlighted above are being followed up with local management teams or where necessary via commissioned independent review and the Trust Board leads are sighted on the issues. At present, independent reviews relating to elements of leadership and team behaviours are under way in one corporate and one local operational area, with a further potential review under consideration in another operational area. Team development plans are in progress in two functions following completion of previous reviews. Monitoring of concerns and action arising takes place via fortnightly online teleconference with the CEO, Executive Director of Quality, Governance & Performance Assurance, Head of Employee Relations, Head of Investigations and learning and the FTSU Guardian.

5. OTHER FTSU DEVELOPMENTS AND NEXT STEPS

5.1 The National Guardian's Office in association with Health Education England have developed Freedom to Speak up e-learning for anyone who works in healthcare.

'Speak up, Listen up, Follow up' is divided into three modules, it helps learners to understand the vital role they can play in a healthy speaking up culture which protects patient safety and enhances worker experience. We are currently exploring how this training can be used as part of the Trust provision.

- 5.2 The national guidance suggests inviting those who have raised concerns to speak at Board meetings and recommends having a strong communication and engagement plan. Further consideration will be given in the coming year to the introduction of 'staff stories' alongside the patient stories which are a well-established feature of the Board agenda.
- 5.3 Covid-19 has impacted on delivery of engagement activity, but the FTSUG with the assistance from corporate communications has continued to issue regular communications promoting Freedom to Speak Up throughout the month and the Freedom to Speak up Advocates continued to support staff throughout the Trust.
- 5.4 The guidance for Boards will form part of Key Line of Enquiry (KLOE) 3 well-led inspection packs of the CQC and includes reference to the self-assessment tool which the Trust completed in 2018. It is advisable that this is refreshed every 2 years. As part of this process, the FTSU policy is currently being reviewed.
- 5.5 Discussions are continuing across the Workforce and Quality teams on work to co-ordinate the various strands of activity to support the further development of open learning culture across the Trust. Communications and training in relation to FTSU will be taken forward in the context of this wider work, to ensure that staff feel empowered to raise concerns at work and are fully aware of the different routes available. Work is also progressing to produce baseline analysis of cultural indicators across the Trust, to inform prioritisation of developmental activity.
- 5.6 Adhering to recommendations of social distancing during the pandemic. 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. The National Guardians Office has launched the first module in the Freedom to Speak up learning package for all workers. This is now available online and it is encouraged that all staff do the training.

6. RISK ASSESSMENT

- 6.1 In line with previous quarters, FTSU concerns continue to be discussed at high levels of the organisation and regular meetings involving the senior team allow all cases to be reviewed in an open forum.
- 6.2 Cases presenting a direct risk or significant learning for patient safety will be raised via the Incident Review Group (IRG) for consideration of appropriate steps which may include inclusion on the Trust risk register. Part of the developmental plan for the coming year, will include strengthened arrangements for triangulation of wider organisational feedback on cultural issues and themes arising from FTSU will form a key part of this process.

7. RECOMMENDATIONS

- 7.1 It is recommended that the Trust Board takes assurance from the information provided and supports the further developments outlined in the paper.