



**Public Trust Board**  
**Freedom to Speak Up 2023/24**  
**26 October 2023**

**Item 4.10**

<b>Presented for:</b>	Discussion
<b>Accountable Director:</b>	Peter Reading, Chief Executive Officer
<b>Presented by:</b>	Kirsty Holt and Sam Bentley, Freedom to Speak Up Guardians
<b>Author:</b>	Kirsty Holt and Sam Bentley, Freedom to Speak Up Guardians
<b>Previous Committees:</b>	Previous quarterly reports presented to People Committee 2023/24
<b>Legal / Regulatory:</b>	Yes

<b>Key Priorities/Goals</b>	Create a safe and high performing organisation based on openness, ownership and accountability
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<b>Strategic Ambition</b>		<b>BAF Strategic Risk</b>
1. Patients and communities experience fully joined-up care responsive to their needs	(✓)	Choose an item
2. Our people feel empowered, valued, and engaged to perform at their best	(✓)	2c Ability to promote and embed positive workplace culture
3. We achieve excellence in everything we do		Choose an item.
4. We use resources wisely to invest in and sustain services		Choose an item.

<b>Key points</b>	
<ol style="list-style-type: none"> <li>The report presents a summary of concerns raised by staff via Freedom to Speak Up in Quarters 1 &amp; 2 2023/24 and the actions taken in response.</li> <li>Information is also provided on wider developments relating to Freedom to Speak Up, including the implications of the recent Lucy Letby verdict.</li> </ol>	For discussion

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**1. Summary**

- 1.1 The purpose of the paper is to provide the Trust Board with an update on issues raised via Freedom to Speak Up in Quarters 1 & 2 of 2023/24 and the action taken in response. The paper also provides a further update on broader developments, builds on the previous reports, and actions taken in response to the National Guardian's Office (NGO) report into English ambulance services which was published in March 2023.
- 1.2 Previous quarterly reports for 2023/24 have been presented to the People Committee. This report is presented to the Trust Board for assurance.

**2. Background**

- 2.1 Freedom to Speak Up (FTSU): An independent review into creating an open and honest reporting culture in the NHS (Francis) was published in February 2015.
- 2.2 The National Guardian's Office (NGO) provides additional guidance for Trusts. The Trust has continuously refined its initial arrangements in the light of new guidance.
- 2.3 The NGO published a review of English ambulance Trusts in March 2023, and this contains further recommendations for development in the sector.

**3. Issues raised via Freedom to Speak Up**

- 3.1 A total of 61 concerns were raised by staff via Freedom to Speak Up in the year-to-date. Q1 of 2023/24 saw 39 concerns raised whilst in Q2 concerns raised decreased to 22. The quarterly breakdown for the last 12 months is as follows:

<b>Q3 22/23</b>	<b>Q4 22/23</b>	<b>Q1 23/24</b>	<b>Q2 23/24</b>
19	27	39	22

- 3.2 Concerns raised between 1 April and 30 September 2023 are as follows:

<b>Table 1 – cases by department</b>		<b>Table 2 – (NB some cases may relate to more than one category)</b>	
<b>Number of cases</b>	<b>Department</b>	<b>Number of cases</b>	<b>Category</b>
28	A&E Operations: 28 South Yorkshire - 3 North Yorkshire - 14 Hull & East Riding - 6 West Yorkshire - 5	9	Patient safety/quality
6	EOC	39	Worker safety or wellbeing
3	Digital	13	Bullying or harassment
1	QGPA	7	Other inappropriate attitudes or behaviour
1	Fleet & Estates		
16	IUC		
5	PTS		
1	People & OD		

- 3.3 In quarter 1, Freedom to Speak Up saw a significant increase in concerns raised via this route. This, in part, was due to focused direct engagement within A&E Operations. Moving into Quarter 2, we have seen a decrease in cases potentially attributed to FTSU’s targeted station intervention coming to an end. Cultural work will continue with input from local management, Leadership and Organisational Development, Equality, Diversity and Inclusion, and HR to focus on the concerns and views staff have shared.
- 3.4 Decrease in IUC cases during Q2 is believed to be linked to the loss of one FTSU Ambassador, following failure of their initial review period. Annual leave taken by both the FTSU Guardian and the remaining Ambassador for IUC within this quarter has resulted in a reduction in visibility.
- 3.5 This quarter has shown an increase in cases raised from EOC. This is likely attributed to the appointment of the Trusts second Freedom to Speak Up Guardian originating from that area. Historically the Trust has appointed Guardians from A&E Ops which could present potential barriers to speaking up from within the contact centres as a similar increase was noted in IUC cases upon the appointment of Sam Bentley, highlighting familiarity, trust, and understanding of the work environments increases worker confidence in speaking up.
- 3.6 The following table provides a high-level summary of the issues raised in Quarter 2 and their management plan. The FTSU Guardians remain in contact with the person raising the concern until assurance is gained that worker voices are heard, and any appropriate action taken.

Department /Category	Issue/Themes	Action Outcome
A&E Operations	<ul style="list-style-type: none"> <li>Poor clinical practice with potential impact on patient safety. 3 concerns raised separately from senior staff members regarding the same person.</li> <li>Concerns raised regarding lack of support and visibility of A&amp;E Ops Team Leaders.</li> <li>Multiple cases of staff having already raised concerns elsewhere or currently within a Trust process – all of which feel their voices aren’t being heard or necessary action has not been taken.</li> </ul>	<p>Escalated to COO immediately for necessary review. Process now in place including HR and Safeguarding.</p> <p>Signposted to appropriate structural reporting routes.</p> <p>FTSU escalated to necessary levels where appropriate. HR provided confirmation they are aware of outstanding cases with unfortunate delays.</p>
A&E EOC	<ul style="list-style-type: none"> <li>Concerns raised suggestive of bullying and harassment culture within EOC</li> </ul>	Signposted to appropriate structural reporting routes.
Digital – ICT	<ul style="list-style-type: none"> <li>Peer to peer sexual safety concern</li> </ul>	Escalated to HR and Safeguarding. Other concerns already raised, so feeding into ongoing process as new evidence.
Fleet and Estates	<ul style="list-style-type: none"> <li>Staff facing barriers from managers to fulfil job role requirements</li> </ul>	FTSU escalated to relevant Executive level.

## Organisational Developments

- 3.7 Current Freedom to Speak Up Guardians are aware of ongoing reviews throughout the quarter concerning Harrogate Ambulance Station, Fleet, and IUC. Following these, interventions are ongoing with support from multiple teams including OD and HR.
- 3.8 Following the Lucy Letby verdict FTSUG's were asked for their input into the Trust comms which was sent out to staff. We felt it was important to highlight the trusts commitment to the 'Listen Up' and 'Follow Up' ethos behind Freedom to Speak Up as unfortunately in this devastating case workers were speaking up, but many questions have been raised about actions taken following that.
- 3.9 The multiple contacts to FTSU regarding an individual of concern has raised potential questions about the Trust's ability to triangulate data from various places i.e., Datix, HR Process, FTSU, and Local Management to highlight when an individual's name might flag across multiple systems and require attention. Guardians alerted the CEO of our need to gain assurance not just around the individual but also the systems in connection to this case. We have since had confirmation work is taking place in relation to this.
- 3.10 FTSU have seen an increase over the last 2 quarters in relation to sexual safety concerns and are working with HR and safeguarding in preparation for the sexual safety charter launch by YAS (Yorkshire Ambulance Service).
- 3.11 The recent sexual safety concerns and ongoing work within the safeguarding team has highlighted the need for a consistent, safe, and appropriate approach to this type of concern no matter what route they come into the organisation. An RPIW (Rapid process improvement workshop) for the safeguarding allegation process has taken place, and following discussions with the Head of Safeguarding, a request was made for FTSUG input into this which was accepted to support our understanding and assurance.

## Freedom to Speak Up Developments

- 3.12 The Trust appointed a second, full time Guardian into role early July following recommendations in the NGO report *Listening to Workers – A Speak Up Review of ambulance trusts in England* on 23 February 2023.
- 3.13 The increased capacity of FTSUGs who both have a background in Quality Improvement, is now allowing for a review into current recording and reporting processes. Following consideration by Guardians of the necessary Freedom to Speak Up guidance in line with Information Governance, GDPR, data extraction and NGO reporting requirements, changes are already being made to increase efficiency.
- 3.14 A communication campaign including drop-in sessions conducted by the FTSU Guardian has been ongoing throughout the year. This will be further developed with two Guardians now in post, particularly in the next quarter with plans for increased visibility, engagement, and communications Trust-wide to promote the NGO national initiative, 'Speak Up Month'.
- 3.15 Since YAS introduced their FTSU Ambassador model further guidance has been released by the NGO for Trusts to follow and align their ambassador models and

the requirements and boundaries of that role. Consideration needs to be given to our recruitment process for this role as well so until this guidance has been reviewed and considered in terms of Trust impact and any further actions needed, FTSU Guardians feel they are unfortunately unable to accept any further expressions of interest for the Ambassador role at this stage.

- 3.16 In the next quarter, Guardians aim to begin development of a new mechanism for staff to raise concerns. Currently there is no structured way for workers to Speak Up anonymously in the same way they can confidentially or openly. The new method will allow for all concerns to be routed via the same avenue, allowing workers the option to protect their anonymity if they wish to do so. Guardians will be exploring the idea of having this reporting mechanism easily accessible for all workers, potentially making it available on as many Trust devices as possible.
- 3.17 As a result of the TEG review of internal issues and themes in March 2023 and recommendations in the NGO report *Listening to Workers – A Speak Up Review of ambulance trusts in England on 23 February 2023*, several further developments have been implemented in Quarter 2 2023/24:
- A second, full time Freedom to Speak Up Guardian took up the post in July 2023. Kirsty has completed her NGO training and reflective conversation with her assigned mentor.
  - The programme of work focused on operations is continuing.
  - Changes to mandated Freedom to Speak Up training have been implemented and ongoing consideration by the Trust is required with regards the Listen Up and Follow Up modules and what staff groups these are mandated for particularly considering the recent Lucy Letby verdict.
  - A review of the relevant Trust induction material is planned as part of the wider induction review, the FTSUGs are still awaiting further contact to support this.
  - The Trust is liaising with the NGO to agree a date for a Board session with the National Guardian. Working towards a date for this meeting.
- 3.18 The NGO has also separately published a new template Trust policy. The YAS policy was fully reviewed last year with reference to this at that time. We will review again to consider any further refinements needed to align to the new NGO template.

#### **4. Financial Implications**

- 4.1 Additional investment will be required for the Trust to fully meet the NGO recommendation for a minimum of 3.0 wte Guardians. Discussions are ongoing with a view to achieving this.

#### **5. Risk**

- 5.1 Developments in Freedom to Speak Up relate directly to BAF risk 2c – Ability to promote and embed a positive organisational culture. However, a failure to promote and learn from staff feedback would impact indirectly on the broader ability of the Trust to deliver safe and effective care and on regulatory compliance. Actions outlined in this paper will enable the Trust to mitigate these risks.

## **6. Communication and Involvement**

- 6.1 A communications plan is ongoing in relation to Freedom to Speak Up. Additional targeted communication including direct engagement on station is part of the new programme of work in the operational services which commenced in Q1 2023/24.

## **7. Equality Analysis**

- 7.1 Issues of fairness and appropriate behaviour towards all colleagues are key issues raised through Freedom to Speak Up. The Guardians and Ambassadors actively support the equality agenda and work with the D&I team and staff networks.

## **8. Publication Under Freedom of Information Act**

- 8.1 This paper has been made available under the Freedom of Information Act 2000.

## **9. Next Steps**

- 9.1 Further discussion of how Speaking Up can be woven into the '*YAS Together*', Trust OD and leadership development programmes to embed it at all levels.
- 9.2 Completion of review of FTSU induction training content.
- 9.3 Further review of the resources and budget allocated to support Freedom to Speak Up in line with NGO recommendations.
- 9.4 Continued engagement with the NGO in relation to the proposed Board development session.

## **10. Recommendation**

- 10.1 It is recommended that the Trust Board:
- Notes the contents of this report.
  - Receives assurance on the actions taken and supports proposals for further development.