

Board of Directors (held in Public)
22 May 2025
Agenda Item: 3.11



Report Title	Freedom to Speak Up Report
Authors	Sam Bentley, Freedom to Speak Up Guardian Kirsty Holt, Freedom to Speak Up Guardian David O'Brien, Director of Corporate Services and Company Secretary
Accountable Director	Peter Reading, Chief Executive
Previous committees/groups	Not applicable
Recommended action(s)	Information/Assurance
Purpose of the paper	This paper provides an update to the Board regarding Freedom To Speak Up, including concerns raised, emerging themes, improvement activities, and future developments.
Executive Summary	
<p>The paper provides information and assurance regarding Freedom To Speak Up. Key matters include</p> <p>The number and nature of concerns raised via FTSU:</p> <ul style="list-style-type: none"> • 82 new FTSU concerns were raised in 2024/25 • The number of new concerns raised was low in Q4 compared to Q2 and Q3 • As of May 2025 there are 61 open FTSU concerns • There are indications that FTSU cases are becoming more complex <p>The most commonly reported categories during 2024/25 were:</p> <ul style="list-style-type: none"> • Worker Safety or Wellbeing • Inappropriate Attitudes or Behaviours • Bullying or Harassment <p>Notable themes emerging from FSTU concerns during 2024/25 included:</p> <ul style="list-style-type: none"> • Suspected fraud • Leadership concerns • Sexual safety • Concerns regarding trust systems, processes, policies etc 	

FTSU Training

- Completion rates for the FTSU 'Follow Up' e-learning module for senior leaders is low (64.3%).
- It is proposed to add the 'Follow Up' e-learning module to the required training for Non-Executive Directors and Associate Non-Executive Directors.
- The National Guardian's Office has offered to facilitate a FTSU session at a Board Strategic Forum

Recommendation(s)

1. The Board receives the assurance report from the FTSU Guardians.
2. The Board approves the proposal to add the 'Follow Up' e-learning module to the required training for Non-Executive Directors and Associate Non-Executive Directors.
3. The Board notes the proposal for the National Guardian's Office to facilitate a FTSU session at a Board Strategic Forum

Link to Board Assurance Framework Risks (board and level 2 committees only)

6. Develop and sustain an open and positive workplace culture.

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22 May 2025
Freedom to Speak Up Report

1.0 PURPOSE

- 1.1 This paper provides an update to the Board regarding Freedom To Speak Up, including concerns raised, emerging themes, improvement activities, and future developments.

2.0 BACKGROUND

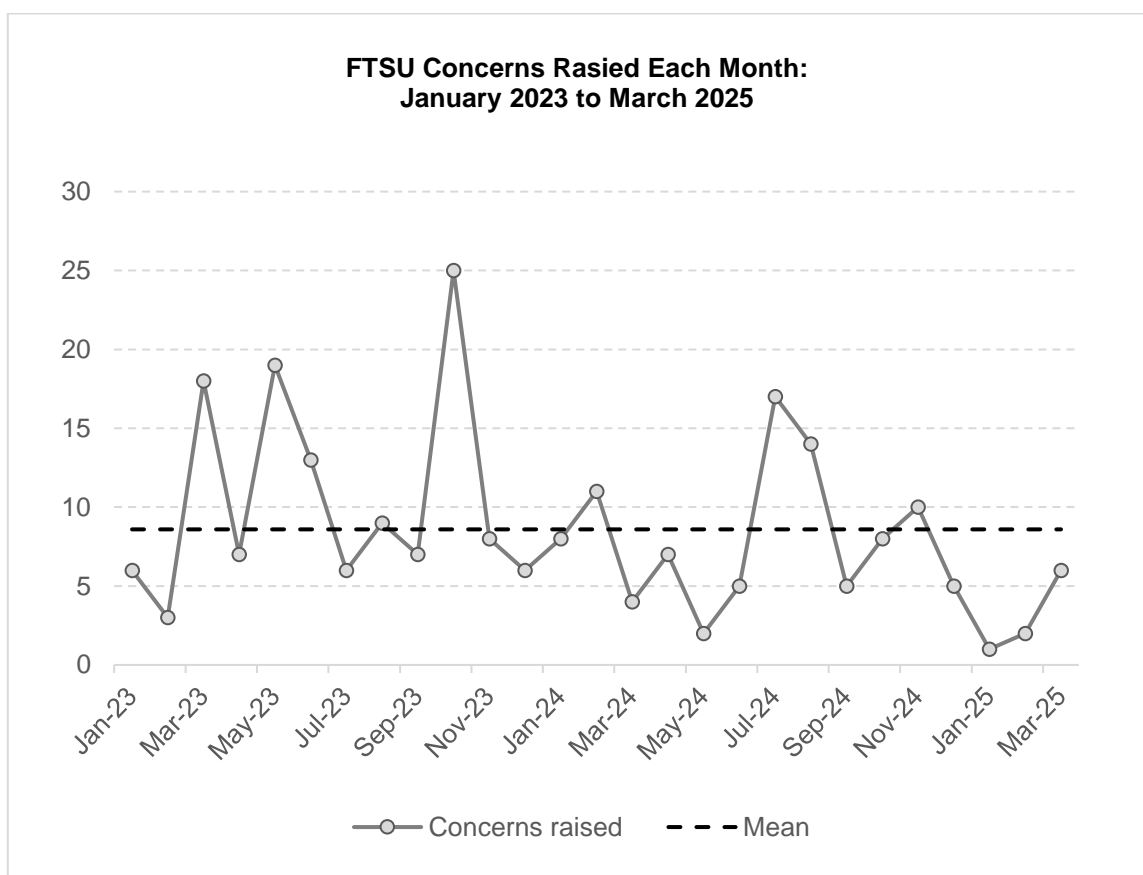
- 2.1 The development of Freedom To Speak Up in the NHS, led by the National Guardian's Office and supported by local Freedom To Speak Up Guardians in each trust, was initiated in response to recommendations made in Sir Robert Francis QC's report "The Freedom to Speak Up"(2015). This review was a follow-up to the public inquiry, also led by Sir Robert, on failings in care at the Mid Staffordshire NHS Foundation Trust. The Freedom to Speak Up review found that NHS culture did not always encourage or support staff to speak up about events they witnessed and concerns they harboured, and that patients and staff could suffer as a result.
- 2.2 The Trust currently has two FTSU Guardians (1.8 whole time equivalents), supported by a network of FTSU Ambassadors embedded in departments around the Trust.
- 2.3 The Chief Executive is the Trust's designated Executive Lead for FTSU. Although the FTSU Guardians are line-managed by the Director of Corporate Services and Company Secretary, they have direct access to the Chief Executive for any FTSU matters.
- 2.4 The Board of Directors has a designated Non-Executive Director Lead for FTSU. This is currently Tim Gilpin.
- 2.5 The Trust has adopted the national FTSU Policy developed for NHS trusts by the National Guardian's Office.
- 2.6 By necessity the FTSU Guardians must retain a degree of independence and critical distance from Trust management arrangements. Nonetheless, the Guardians are active stakeholders and participants in relevant Trust processes, policy developments, and groups, including:
- Sexual Safety and Domestic Abuse Task and Finish Group
 - Diversity and Inclusion Steering Group
 - People and Culture Group

3.0 NUMBER OF CONCERNS RAISED VIA FTSU

- 3.1 82 new concerns were raised via FTSU during 2024/25. The number of new concerns raised each quarter during 2024/25 was as follows.

2024/25	Q1	Q2	Q3	Q4
New FTSU Concerns Raised	14	36	23	9

- 3.2 To place the 2024/25 figures in context, the following chart shows the number of concerns raised via FTSU each month from January 2023 to March 2025



- 3.3 The data demonstrates that towards the end of Q3 and into Q4 there was a dip in the number of new concerns raised via FTSU. One contributing factor behind this dip is that during the second half of the year there were capacity constraints in the FTSU function which resulted in limited availability of the FTSU Guardians to receive new cases.
- 3.4 It is also worth noting that the FTSU arrangements operate alongside other mechanisms for staff to speak up about issues and concerns. During 2024/25 the Trust introduced the 'Ask Peter' channel via the Pulse intranet site by which staff can raise questions and queries direct with the Chief Executive. As this channel gained momentum it is possible that some staff are choosing this route to raise certain types of issue rather than contacting the FTSU Guardians.

- 3.5 Whilst the number of new FTSU cases has decreased towards the end of 2024/25, there remains a substantial number of open ongoing cases (61 as of May 2025), many of which are complex in nature. An emergent trend appears to be that while the number of new FTSU cases has reduced the complexity or severity of those cases has increased. It is too early, and the dataset is too small, to reach any firm conclusions about this emergent trend.

4.0 NATURE OF CONCERNS RAISED VIA FTSU

- 4.1 The following table shows the most common categories raised via FTSU during 2024/25. 'Worker Safety or Wellbeing' was consistently the most common category of reported concern. Note that multiple categories of concern can be applied to each FTSU case.

Categories Reported	Q1	Q2	Q3	Q4	Total
Worker Safety or Wellbeing	6	26	14	8	54
Inappropriate Attitudes or Behaviours	4	17	6	4	31
Bullying or Harassment	6	7	3	4	20
Patient Safety and Quality	2	3	6	0	11
Detriment as a Result of Speaking Up	0	1	1	0	2

- 4.2 Other themes emerging from the FTSU concerns raised during 2024/25 included the following:

4.2.1 Potential Fraudulent Behaviour

Where fraudulent activity is suspected, reporters have turned to FTSU when they are not sure where to report their suspicions, when they wish to remain confidential, or when they are not comfortable contacting external agencies (for example, 360 Assurance, who acts as the Trust's counter fraud specialist). In accordance with the Trust's Fraud, Bribery and Corruption Policy, the FTSU involvement in cases of suspected fraud is to either signpost staff to the appropriate channel or to report the concern directly to 360 Assurance, dependent on the preference of the reporter.

4.2.2 Leadership

One area of concern reported by staff is a perceived lack of action or response when issues are first raised with local leaders and managers. During 2024/25 a significant proportion of reporters had previously spoken up about their concern via their local leadership routes. These reporters subsequently approached FTSU Guardians due to a perceived lack of action or response from local leaders to the concerns that had been raised. Related to this, during 2024/25 there was an increase in the number of staff feeling sufficiently confident to highlight instances of inappropriate behaviour of local leaders towards them and to question the adherence of local leaders to Trust policies and processes.

4.2.3 Sexual Safety

Sexual safety concerns continued to be raised via FTSU alongside other reporting routes within the organisation. Trust processes such as the Safeguarding Allegation Support Group (SASG) and the Professional Standards Panel (PSP) provide assurance for FTSU that the Trust is achieving greater consistency in its approach to sexual safety cases and is demonstrating more effective triangulation with previous issues and/or related case histories.

4.2.4 Trust Systems, Processes and Policies

FTSU Guardians received several concerns regarding the effectiveness and correct application of Trust systems, processes, and policies. Common themes include:

- Lack of communication and support during formal and informal processes.
- Policies and procedures not being followed.
- Lack of trust in the effectiveness or appropriateness of processes.
- Unsatisfactory outcomes of processes and procedures..

4.3 Note that when considering the themes raised via FTSU the focus should be on the perception of the person raising the concern. The perception of the reporter and the actual facts of the case might not always fully align. Nonetheless, the Trust should recognise that there is value in the information provided when people raise concerns. Trust colleagues should always consider the perception of those who have felt it necessary to report at concern.

5. **DATA IMPROVEMENTS**

5.1 During 2024/25 there has been ongoing work to expand and refine the data collected and reported to support FTSU. Historically the Guardians only collected data in accordance with national guidance. This limited the data collection to the themes submitted in the data returns to the National Guardian's Office:

- Patient Safety and Quality
- Worker Safety or Wellbeing
- Bullying and Harassment
- Other Inappropriate Attitudes or Behaviours
- Detriment as a Result of Speaking Up

5.2 To improve the potential range of insights and analytical power of the FTSU data, and to aide more sophisticated triangulation with other internal sources of intelligence, the Trust has developed multiple subcategories for FTSU data collection and reporting. As of the end of 2024/25 the list of subcategories was as follows:

- | | |
|---------------------|----------------------|
| • Sexual Safety | • Social Media |
| • Discrimination | • Health and Safety |
| • Repeat Behaviours | • Recruitment |
| • System Process | • Fraud |
| • Leadership | • Training |
| • Domestic Abuse | • Enquiries/Signpost |

6.0 FTSU E-LEARNING MODULES

- 6.1 The Trust makes available to staff three FTSU e-learning modules that were collaboratively created by the National Guardian's Office and Health Education England. The three modules are called 'Speak Up', 'Listen Up', 'Follow Up'. Each module is important in helping to understand the important roles that staff, managers, and leaders play in fostering a healthy speak up culture.
- 6.2 Completion figures for the three FTSU e-learning modules are monitored by the Guardians. The levels of completion at the end of 2024/25 were as follows.

Module	Applicable to	Frequency	Completion Rate	
			2023/24	2024/25
Speak Up	All Staff / Managers / Senior Leaders	3-yearly refresh	91.7%	93.4%
Listen Up	Managers / Senior Leaders	3-yearly refresh	83.4%	89.1%
Follow Up	Senior Leaders	3-yearly refresh	55.3%	64.3%

- 6.3 Although the completion rates improved for all three modules during 2024/25, the Listen Up and Follow Up completion rates are below 90%. The completion rate for the Follow Up module for senior leaders is particularly low.
- 6.4 There is an expectation that that Follow-Up Module for senior leaders is completed by Board members, including Non-Executive Directors and Associate Non-Executive Directors. However, this module was not included in the recent review of required training for Non-Executive Directors and Associate Non-Executive Directors. It is recommended that this module is added to the required training for Non-Executive Directors and Associate Non-Executive Directors.

7.0 LEARNING FROM CONCERNS RAISED VIA FTSU

- 7.1 The FSTU Guardians actively seek opportunities to apply learning from concerns raised and to embed improvements in the Trust. Examples during 2024/25 include:

7.1.1 Datix

Historically, FTSU have used Datix (the Trust's incident management system) to log concerns as well maintaining additional information in an Excel spreadsheet. The Guardians have since developed a more effective process for logging concerns that enables all necessary information to be captured in a single, secure location. As a result, the Trust has ceased the use of Datix for FSTU recording. This has also improved data quality and efficiency gains: Datix data fields did not align well with FTSU categorisations and led to significant data cleanse and reconciliation activity which is no longer required.

7.1.2 Victim Charter

In some recent cases reporters have commented that whilst cases have been concluded and outcomes reached they felt that their safety and wellbeing was not always fully considered during and after the closure process. The Guardians have liaised with the Safeguarding team regarding the feasibility of a 'Victim Charter' as a commitment from the organisation to protect the wellbeing of staff who raise concerns.

8.0 **WHAT NEXT: FUTURE PLANS AND DEVELOPMENTS**

8.1 Ambassador Model

The two FTSU Guardians are supported by a network of FTSU Ambassadors embedded in departments around the Trust. The National Guardian Office has introduced significant changes to the ambassador role. For example, FTSU ambassadors are now required to signpost, to engage with staff, and to proactively raise awareness of FTSU. It remains the case, however, that under no circumstances should an ambassador take on their own cases. The Trust is reviewing its ambassador model in light of the new role requirements.

8.2 Board Development Session

National Guardian, Jayne Chidgey-Clark, was due to attend a session of the Trust Board during 2024/25. Unfortunately, this did not happen due to Jayne's unavailability, and this position is likely to persist. In light of this, the Guardians have secured an offer from Beth Carter, the National Guardian's Office Lead for Guardian Support and Policy, to facilitate a session at a future Board Strategic Forum.

8.3 Power BI Dashboard

Now that the new FTSU concerns recording mechanism is fully implemented the next step is to integrate this into an interactive dashboard through Power BI. This will enable the FTSU team to bring (non-identifiable) case data to team management conversations and work proactively with teams on how to respond to and understand FTSU concerns and themes raised in their areas.

8.4 Leadership Awareness Sessions

FTSU Guardians have an ongoing offer to deliver tailored awareness sessions for leadership groups across the organisation. These one-hour sessions highlight the importance of speaking up, how colleagues can work collaboratively to create a culture in which all staff feel supported and safe to raise concerns, and how the Trust can learn effectively from the outcomes of concerns raised.

9.0 **RECOMMENDATIONS**

9.1 The Board receives the assurance report from the FTSU Guardians.

9.2 The Board approves the proposal to add the 'Follow Up' e-learning module to the required training for Non-Executive Directors and Associate Non-Executive Directors.

- 9.3 The Board notes the proposal for the National Guardian's Office to facilitate a FTSU session at a Board Strategic Forum

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