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| Report Title  | Freedom to Speak Up Report   |  |
| Author  | Kirsty Holt – Freedom to Speak Up Guardian<br>Sam Bentley – Freedom to Speak Up Guardian   |  |
| Accountable Director  | Peter Reading – Chief Executive Officer  |  |
| Previous committees/groups  | N/A  |  |
| Recommended action(s)<br>(assurance, approval, information)                 | Information/Assurance  |  |
| Purpose of the paper  | <ul style="list-style-type: none"> <li>• To provide the Board of Directors with an overview of the progress of the FTSU function.</li> <li>• To report on themes arising from the concerns received by the Freedom to Speak Up Guardians</li> <li>• To set out next steps for FTSU.</li> </ul>   |  |
| Executive Summary   | <p>The Freedom to Speak Up (FTSU) service continues to strengthen across YAS, with 86 concerns raised between April and December 2025. The steady quarterly increase reflects growing awareness and confidence in speaking up.</p> <p>Most concerns related to worker safety and wellbeing, with further themes around behaviours, culture, and a smaller number relating to patient safety/quality.</p> <p>Reports of detriment and anonymous cases remained low, however still requires close scrutiny.</p> <p>The themes identified are informing targeted improvement actions</p> <p>Preparations are underway for the transition of national FTSU oversight to NHS England.</p> |  |
| Recommendation(s)   | <p>The board is asked to:</p> <ul style="list-style-type: none"> <li>• Note the progress and developments in the FTSU function</li> <li>• Take assurance from the actions underway to strengthen the speaking up culture</li> <li>• Support the next steps for FTSU.</li> </ul>  |  |
| Link to Board Assurance Framework Risks (board and level 2 committees only) | 6. Develop and sustain an open and positive workplace culture.   |  |

# **Freedom To Speak Up Report**

## **1.0 INTRODUCTION**

- 1.1 This report presents an update to the Board regarding Freedom To Speak Up (FTSU). The FTSU Guardians present a report to Board twice each year.
- 1.2 The paper:
  - Provides an overview of the progress of the FTSU function.
  - Reports on themes arising from the concerns received by the FTSU Guardians.
  - Sets out the next steps for FTSU.

## **2.0 BACKGROUND**

- 2.1 Raising concerns is vital not only for patient safety but also for staff wellbeing. The Trust remains committed to fostering a culture of openness, accountability, and high standards of care. Staff can speak up through multiple channels including line management, Human Resources, Datix, Staff Side representatives, and via the FTSU Guardians.
- 2.2 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 Andrew Chang.
- 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 FTSU CASES: VOLUMES AND THEMES**

#### FTSU Case Volumes Over Time

3.1 The FTSU service in this Trust has seen fluctuations in case volumes and themes during the past three years, reflecting both operational pressures and cultural shifts across the organisation.

- In 2023/24 FTSU received 123 concerns, with peaks in Q1 and Q3
- In 2024/25 FTSU volumes dipped to 82 concerns, with a sharp drop in Q4 linked to absence within the function from mid Q3
- In the first three quarters of 2025/26 FTSU volumes have rebounded to 86 concerns, already surpassing the previous year's total. This suggests renewed engagement with the service and growing confidence in speaking up.

#### FTSU Themes Over Time

3.2 Concerns are categorised according to the National Guardian's Office reporting framework. Worker Safety and Wellbeing remained the most consistently reported theme across all years, with staff regularly raising concerns about psychological safety, workload, and support. The highest quarterly count was 34 cases in Q3 2023/24, with a similar peak of 33 in Q3 2025/26, indicating persistent pressures.

3.3 Inappropriate Attitudes or Behaviour showed a marked increase in 2024/25 and 2025/26, rising from 7 cases in Q1 2023/24 to 16 in Q3 2025/26. This trend highlights the need for continued focus on respectful workplace culture and leadership behaviours.

3.4 Bullying or Harassment remained a recurring theme, with 8 cases in Q1 2023/24, 7 in Q2 2024/25, and 8 in Q3 2025/26. While not escalating sharply, the consistency suggests this remains a concern for staff and requires ongoing attention.

3.5 Patient Safety/Quality concerns were fewer but steady, with 9 cases in Q3 2023/24, 5 in Q3 2024/25, and 4 in Q3 2025/26. These cases reinforce the link between staff wellbeing and safe delivery of care.

3.6 Detriment was rarely reported, with only 3 cases across three years. While low, any instance of detriment is significant and warrants close scrutiny to ensure that staff feel protected when speaking up.

3.7 Anonymous Reporting remained low overall, with a slight rise in Q3 2025/26 (7 cases). This may reflect increased use of the service by staff who are still building trust in the process.

## FTSU Themes 2025/26

3.8 Between April and December 2025 the FTSU Guardians received a total of 86 concerns, with a steady increase quarter-on-quarter: 13 in Q1, 31 in Q2, and 42 in Q3. This upward trend reflects growing staff awareness of the service and increasing confidence in speaking up.

| Quarter 25/26 | Number of cases | Anonymous | Element Patient safety/quality | Element Worker safety/wellbeing | Element Bullying or Harassment | Element Inappropriate attitudes or Behaviour | Detriment |
|---------------|-----------------|-----------|--------------------------------|---------------------------------|--------------------------------|--|-----------|
| Q1            | 13              | 1         | 2                              | 9                               | 5                              | 2  | 1         |
| Q2            | 31              | 2         | 4                              | 26                              | 4                              | 9  | 0         |
| Q3            | 42              | 7         | 4                              | 33                              | 8                              | 16   | 1         |

3.9 The proportion of anonymous concerns remained low, with only 10 cases submitted anonymously. This suggests that most staff feel safe identifying themselves, which is a positive indicator of trust in the process and the Guardians.

3.10 The most frequently reported theme this year to date has been Worker Safety and Wellbeing, accounting for 67 cases. This highlights the ongoing pressures faced by staff and the importance of psychological safety.

3.11 Inappropriate Attitudes or Behaviour saw a notable rise in Q3, with 16 cases, indicating a need for continued focus on respectful workplace culture. Bullying or Harassment was cited in 17 cases, with a slight increase over time, warranting close monitoring and proactive intervention.

3.12 Patient Safety/Quality concerns were raised in 10 cases, underscoring the link between staff wellbeing and safe care delivery. Detriment as a result of speaking up was reported in 2 cases. While low, this remains a critical area for vigilance and assurance.

3.13 Analysis of these themes is being used to inform targeted actions, including leadership engagement, culture improvement initiatives, and tailored support for teams. The FTSU Guardians continue to monitor trends and escalate concerns appropriately to ensure timely resolution and learning.

## **4 NEXT STEPS**

### Nationally

4.1 The National Guardian's Office (NGO) was established in October 2016 alongside the requirement for all NHS provider organisations to appoint a Freedom to Speak Up (FTSU) Guardian. While the NGO is scheduled to close in June 2026, the principles and expectations of FTSU will remain. Planning is underway for its transition into NHS England and subsequently the Department of Health and Social Care.

### For the Trust

4.2 The Trust will continue to embed FTSU principles by:

- Strengthening leadership accountability and responsiveness to concerns
- Enhancing training and awareness across all staff groups
- Improving data capture and thematic analysis to inform Board-level assurance
- Preparing for the transition of oversight from the NGO to NHS England
- Responding to learning and improvement opportunities identified as part of the forthcoming Well-Led developmental review (Freedom To Speak Up is one of the eight Well-Led domains)
- The Board to undertake a FTSU training and awareness session delivered by the National Guardian Office (scheduled for 29 January)

### For the Guardians

4.3 The Guardians will:

- Continue bi-annual thematic reporting to the Board
- Increase collaboration with teams such as Human Resources, Safeguarding, and Quality and Professional Standards to ensure concerns lead to meaningful change
- Continue to increase their visibility and engagement across the Trust to maintain momentum and build confidence

## **5 FINANCIAL IMPLICATIONS**

5.1 There are no direct financial implications arising from this report. Any future resource requirements linked to service development will be considered through standard planning processes.

## **6 RISKS**

6.1 Key risks include:

- Staff reluctance to speak up due to fear of reprisal or lack of confidence in follow-up
- Inconsistent responses to concerns across departments
- Potential loss of momentum during the NGO transition

6.2 Mitigations include continued Guardian visibility, leadership engagement, and robust governance oversight.

## **7 RECOMMENDATIONS**

7.1 The board is asked to:

- Note the progress and developments in the FTSU function
- Take assurance from the actions underway to strengthen the speaking up culture
- Support the next steps for FTSU.