

## **Guardian Service Q4 and Q1 Report**

### **Background**

Following the Francis Enquiry 2013 and 2015, the NHS launched 'Freedom to Speak Up' (FTSU). The aim of this initiative was to foster an open and responsive environment and culture throughout the NHS enabling staff to feel confident to speak up when things go or may go wrong; a key element to ensure a safe and effective working environment.

As part of this, a new NHS Whistleblowing policy/procedure was launched along with a Freedom to Speak Up Guardian (FTSUG) role to oversee the initiative.

However, the Trusts had very few issues raised through the FTSU route. Whilst this could suggest that issues were being dealt with through the normal management reporting channels, there was a concern that the approach was not having the desired impact in creating a 'speak up' culture.

A review was therefore carried out of the way the FTSU was implemented and concluded that additional resources should be allocated to ensure that staff had as many opportunities to raise concerns as possible. The Guardian Service was therefore engaged to provide the FTSUG role.

### **The Guardian Service**

The Guardian Service LTD is an independent and confidential staff liaison service. It was established in 2013 by the National NHS Patient Champion in response to The Francis Report. The Guardian Service provides staff with an independent, confidential 24/7 service to raise concerns, worries or risks in their work place. The Guardian Service covers patient care and safety, whistleblowing, bullying and harassment and work grievances. They work closely with the National Guardian Office (NGO) and attend the FTSU workshops, regional network meetings and FTSU conferences.

The Guardian Service is advertised throughout the three hospital sites as an independent organisation. This encourages staff to speak up more freely and without fear of reprisal. The profile of the FTSUG has been increasing with the National Guardian Office providing leadership and support and the CQC focusing on the requirements of Trusts to have an open and responsive raising concerns culture as part of the well led framework. The Guardian Service supports the Board to promote and comply with the NGO national reporting requirements.

The Guardian Service was piloted for twelve months at SUHT prior to it being implemented at BTUH on the 1<sup>st</sup> October 2018 and MEHT on the 1<sup>st</sup> April 2019.

The FTSUG at SUHT is supported by 14 Freedom to Speak Up Champions and they made up of employees from different directorates and staff group. The intention is for the recruitment of Speak Up Champions at BUHT and MEHT (see action plan appendix 1).

### **Purpose of the paper**

The purpose of this paper is to give insight to the progress and development of the service and learning from the themes arising from the cases received by the FTSUGs.

This report follows the guidance from the NGO on the content FTSUGs should include when reporting to their Board. The section includes:

1. Assessment of Issues
2. Potential patient safety or workers experience issues
3. Action taken to improve FTSU culture
4. Learning and Improvement
5. Recommendations

### **Assessment of issues**

#### No. of concerns raised

Detailed below are the number of concerns raised at each Trust for Quarter 4 (1 January 2019 to 31 March 2019) and Quarter 1 (1 April 2019 to 30 June 2019).

<b>Trust</b>	<b>Q4 and Q1</b>	<b>No. of concerns raised</b>
SUHT	1 January 2019 – 30 June 2019	37
BTUH	1 January 2019 – 30 June 2019	26
*MEHT	1 April 2019 – 30 June 2019	6

\*The Guardian Service commenced at MEHT on 1 April 2019 and therefore data is for Quarter 1 only.

The National Guardian Office published the average number of concerns raised in the year 2018/19 for Trusts. These figures are based on internal FTSUGs as opposed to an independent service. A small sized (less than 5000 employees) Trust had received 25 concerns and a medium sized (5,001 to 10,000 employees) Trust, 35 concerns.

The data above shows that SUHT (less than 5,000 employees) has surpassed this figure due to promoting and embedding the service. The FTSUG commenced at BTUH on 1 October 2018 and at MEHT since 1 April 2019.

Contacts from staff to the FTSUG across the 3 sites have been via email (107), telephone (150) and face to face visits (66). The FTSUGs encourage face to face meetings yet follow ups tend to be by telephone or email.

The concerns raised are broken down into the following themes across the 3 sites:

Themes	No. of concerns raised SUHT	No. of concerns raised BTUH	No. of concerns raised MEHT
Patient safety	1 (3%)	5 (19%)	1 (17%)
Staff safety	1 (3%)		
Management Issue	3 (8%)	2 (8%)	1 (17%)
System and Process	18 (49%)	7 (27%)	
Bullying and Harassment	3 (8%)	8 (31%)	2 (33%)
Discrimination and Inequality	2 (5%)	1 (4%)	
Behavioural / Relationship	9 (24%)	3 (12%)	1 (17%)
Other			1 (17%)
<b>TOTAL</b>	<b>37</b>	<b>26</b>	<b>6</b>

At SUHT, the System and Process concerns relate to rota and annual leave, change in work load, grievance, moving wards, cleaning, restriction for bank nurses, parking, probation, payroll, the move of facilities from indoors to outside.

At MEHT, the 'other' concern relates to an issue raised about an ex-employee.

The outcome of the bullying and harassment concern raised were as follows:

Outcome of bullying and harassment concerns raised	SUHT	BTUH	MEHT
Informally resolved with Guardian support		4 (50%)	
Escalated and resulted in formal intervention	2 (66%)		
Decided not to take forward	1 (33%)	4 (50%)	2 (100%)
<b>TOTAL</b>	<b>3</b>	<b>8</b>	<b>2</b>

### Staff Groups

Detailed below are the staff groups who have raised concerns. The staff group is defined by the NHS.

Staff Groups	SUHT	BTUH	MEHT
Additional Clinical Services	2 (5%)	2 (8%)	
Administrative and Clerical	8 (22%)	2 (8%)	2 (33%)
Allied Health Professional	6 (16%)	1 (4%)	1 (17%)
Medical and Dental	1 (3%)	3 (12%)	1 (17%)
Nursing and Midwifery	12 (32%)	16 (62%)	
Estates and Facilities	7 (19%)	1 (4%)	
Role not confirmed	1 (3%)	1 (4%)	2 (33%)

## Potential patient safety or workers experience issues

Staff have raised 7 patient safety issues across the 3 sites. All issues were taken very seriously by the Trust involved.

Trust	Issue raised	Escalated to	Resolution / Outcome
SUHT	Patient to doctor ratio	Medical Director	Raised at Education Board meeting and measures put in place
BTUH	Relatives treatment	Director of Nursing	Meeting arranged but member of staff chose not to attend
BTUH	Discharge of patient	Director of Nursing	Investigated and no links found to justify the concern raised
BTUH	Staff shortages (3)	Director of Nursing	Midwives had already been recruited and start date agreed
MEHT	Observations for elderly patient	Deputy Director of Nursing	Investigation undertaken and ongoing

The service has been in operation at SUHT for 22 months and staff are more ready to raise concerns. As the service is still developing at BTUH and MEHT, staff are less willing to escalate their concerns at the present time.

## Action taken to improve FTSU culture

### Action taken to address themes

- The Respect campaign has been introduced across the 3 sites with an aim to reduce bullying and harassment concerns, which can also impact on behavioural / relationship issues.
- The FTSUG has contributed to reducing sickness absence by supporting staff to raise issues with managers or by escalating their concerns instead of reporting as sick. While difficult to quantify, this may contribute to cost saving and effective service delivery as staff are not being paid sick pay and present at work.
- In some instances, staff contact the FTSUG because a grievance process is taking too long. The FTSU Guardian is able to explain the complexities and time constraints that may arise during an investigation and also facilitate moving the case forward.

- Issues pertaining to policies and procedures are often brought to the FTSUG for clarification. The independent status of the FTSUG, in clarifying points that staff may not comprehend, have in many instances satisfied the individual and prevented further escalation.

### FTSUG supporting and resolving issues

- The FTSUG supports staff by highlighting the benefit of facilitated or mediated meetings, thereby avoiding the Grievance process.
- The FTSUG guide and support staff to raise and forward their own concerns.
- At SUHT, the escalation of issues raised has increased. In the first year a third of concerns raised were escalated, however in the second year 50% have been escalated. This shows that staff are becoming more confident in raising issues.

### Communication and escalation

- The FTSUG at SUHT attends the FTSU steering group where learnings resulting from issues are shared.
- The FTSUG attends meetings and events to brief staff about the service which encourages staff to use the service.
- The FTSUG becomes an empathetic listener when a staff member wishes to download. However as per mandate the guardian does not get involved in any internal disciplinary or grievance process. Staff are informed of this at the outset however FTSUs are available to listen in these situations, and we inform the staff member of this position. We are here to listen in these situations which promotes the Speaking Up culture.
- The FTSUG meets bi monthly with the Managing Director, quarterly with the nominated NED and regularly with the Chief People & OD Officer. This needs to be extended to BTUH and MEHT. These meetings are productive as the Managing Director and NED can guide the FTSUG to where there are potential areas within the Trust that may be causing concern and the FTSUG can also share themes from concerns raised.
- Monthly meetings are held at each site to talk through the monthly activity reports which includes themes and outcome of cases. No individual can be identified by the report therefore keeping staff members' confidentiality.
- Where an issue is agreed for escalation the system is used as follows:

<b>Red</b>	These scenarios require immediate escalation and response within 12 hours
<b>Amber</b>	A response is required within 48 hours
<b>Green</b>	A response is required with 72 hours

There was one instance at MEHT where the response time was not adhered to.

All three Trusts are at different stages of development of FTSU. Going forward with the merge of the three sites, the process for FTSU will be more consistent.

### **Learning and Improvement**

- The FTSU Network adopts a continual learning approach where issues raised through cases inform training needs for FTSUGs to better support the workforce.
- The FTSUGs attend monthly Guardian Service meetings where difficult concerns raised are discussed, peer support and learning gained and good practice shared.
- As the Guardian Service has clients across a number of NHS Trusts, we are in a position to compare and contrast best practice approaches in respect to policy, service implementation and organisational response.

### **Recommendations**

- Although the FTSUG meets the executive team when escalating a concern, it may be useful if more regular meetings are held so that learnings from concerns can be made.
- Regular meetings to be set up with Managing Director at BTUH and MEHT and FTSUGs (already in place at SUHT) and all FTSUGs to meet with the Chair.
- Each Trust has completed the self-review tool and the Board must allocate time to review its progress.
- The three sites should ensure case review recommendations from NGO have been implemented where necessary.
- Publicise personal commitments from each member of the Executive team in regards to speaking up.

- Staff are reporting that the length of time taken for grievances to be heard is too long and exceeds the policy. Regular communication with staff and keeping them updated with the reason for delay is important. This will also help encourage staff to speak up again.
- Further communication and engagement sessions required to promote FTSU to all staff groups at MEHT.
- A review of the recruitment process for internal applicants and how feedback is given to ensure consistency.
- All new starter managers automatically booked on a Management / Leadership course which covers investigating and raising concerns and holding difficult conversations.

The Guardian Service is working with the Trusts and MSE to take the above recommendations forward.

June-Anne Murray  
Freedom to Speak Up Guardian