

National Guardian Freedom to Speak Up

12 January 2017

Dr Henrietta Hughes First 100 Days Report

Foreword



Since starting the role on 4 October 2016, my eyes have been opened to the full spectrum of challenges for NHS workers when they want to speak up.

I have made progress in a number of areas and this report describes these achievements to date as well as some of the challenges encountered. While there is good progress, the NHS still has distance to go to create a universally open and honest culture.

I am working together with NHS Trusts and Foundation Trusts, professional bodies and systems regulators to start the process that when staff speak up their concerns are heard and acted upon in a timely way, staff are not penalised as a result and receive feedback on actions that have been taken.

Dr Henrietta Hughes, National Guardian for the NHS



The Freedom to Speak Up Report, published in February 2015, describes the functions of the National Guardian office as follows:

- Support Freedom to Speak up Guardians in NHS Trusts and Foundation Trusts
- Provide national leadership on issues relating to raising concerns by NHS workers
- Review the handling of concerns raised by NHS workers, and/or the treatment of the person or people who spoke up where there is cause for believing that this has not been in accordance with good practice
- Advise NHS organisations to take appropriate action where they have failed to follow good practice, or advise the relevant systems regulator to make a direction to that effect
- Offer guidance on good practice about handling concerns
- Ensure transparency and publish reports on the activities of this office.

Introduction

It is well known that NHS staff experience and well-being has an impact on patient care.¹ Fear about the consequences of speaking up and lack of confidence that concerns will be addressed are deep seated issues in the NHS. Even after the Francis Report was published the most recent National NHS staff survey highlighted that only 68% of staff felt secure in raising any concerns they may have regarding clinical practice. Only 56% of staff had confidence that their organisation would address their concerns if they were raised.²

The National Guardian's Office was created to support positive cultural change in the NHS by giving workers freedom to speak up. Its role and purpose are described in the Freedom to Speak Up Review. The aim of the National Guardian's Office is to create an environment where speaking up is business as usual for all NHS workers. This cultural change cannot happen without NHS leaders being open and responsive to workers when they speak up.

¹<http://www.nhsemployers.org/~media/Employers/Publications/Research%20report%20Staff%20experience%20and%20patient%20outcomes.pdf>

²http://www.nhsstaffsurveys.com/Caches/Files/20160322_NHS%20Staff%20Survey%202015%20National%20Briefing_V2.pdf

Progress to date

In my first 100 days I have focused on recruiting the team, setting up the governance of the office (Annex A), and establishing the national network of Freedom to Speak Up Guardians.

The national contract specifies that NHS Trusts and Foundation Trusts are required to have nominated a Freedom to Speak Up Guardian by 1 October 2016. To date we know that 201 Trusts have achieved this, which represents 86% of Trusts. We are aware of 12 Trusts that are in the process of appointing. For the remaining 21 Trusts, we are concerned that they may not have a Freedom to Speak Up Guardian in post and we are working closely to offer them support to appoint to this position as quickly as possible. Establishing 100% coverage is a key focus for the next 30 days. Where concerns continue without satisfactory progress or it appears that Trusts are not managing the freedom to speak up process, these will be shared with the sponsoring organisations, NHS Improvement, NHS England and the Care Quality Commission.

My team is providing support to Trusts and Freedom to Speak Up Guardians to ensure that their role meets the needs of staff and will support the cultural change that we wish to see across England. Freedom to Speak Up Guardians are already making themselves available to all staff, including new starters at induction. They are also attending team meetings, proactively promoting speaking up, and being contacted by staff who want to speak up.

Innovative training, supported by Health Education England and Public Concern at Work, has been developed to support Freedom to Speak Up Guardians and wider staff groups to make speaking up business as usual for all. We have delivered 11 training events and have plans for a further 8 training sessions. Over 100 Freedom to Speak Up Guardians have been trained and training will be available to all Freedom to Speak Up Guardians before the end of March 2017. We have also provided 4 events for non-executive directors and directors of human resources to ensure that they are prepared for and can support the role effectively.

The first meeting of the National Guardian's Office Accountability and Liaison Board has been held and this will meet on a quarterly basis.

Regional Networks

Shortly after starting in post in October 2016 I hosted a national event for Freedom to Speak Up Guardians attended by Sir Robert Francis where I launched the national network, based on the clinical senate footprint. Regional meetings are already taking place to share learning and best practice as well as to give feedback on local priorities to my office.

The Freedom to Speak Up Guardian network is a unique cross section of staff from different professional backgrounds and seniority. Some have personal experience of speaking up themselves. We are encouraging Freedom to Speak Up Guardians to buddy-up and mentor within their regions and this is already happening. The network is a new leadership group with the potential to effect an enormous shift in organisational culture, working in partnership across existing organisational boundaries.

Communications and resources

We have regular communication with Freedom to Speak Up Guardians and have launched a well-received newsletter for Guardians, which includes the achievements of Freedom to Speak Up Guardians, informs them of upcoming events and provides examples of best practice. We are supporting Freedom to Speak Up Guardians to promote their role with materials that ensure consistent communication across the NHS so that staff are familiar with the role even when they move to a new organisation.

Promoting speaking up

It is clear that there is distance to travel as confidence about speaking up is currently not as high as it could be, as evidenced by the National Staff Survey. I have promoted freedom to speak up and the Guardian role by building relationships with a wide range of organisations and individuals. I am developing partnerships across the NHS landscape to galvanise the cultural change needed at every level. I have presented alongside Freedom to Speak Up Guardians at national events attended by a wide variety of staff groups, patients and representative organisations, and look forward to the National Conference in March 2017.

My experience is that I am pushing on an open door as all organisations I have had contact with have expressed their commitment to speaking up. I look forward to seeing this support translated into real actions over my time in office.

Future priorities

This is a new system with no current equivalent in other sectors or countries. Over the next months we will be gathering information from Freedom to Speak Up Guardians to understand better how the role is being implemented, the issues which are being raised by staff and the difference that the freedom to speak up role is making. The way that organisations are managing the freedom to speak up process will be evaluated when Care Quality Commission inspectors are assessing how well led a service is. We are developing guidance for their inspectors on this.

We are considering how we can review the way in which speaking up is handled in NHS Trusts and plan to offer guidance on good practice. We are currently listening to the views of organisations and individuals to ensure that this is a co-production. We will be developing an advisory group to be the unique voice of patients and NHS workers to provide a broad range of perspectives and creativity.

We will continue to support Freedom to Speak Up Guardians by providing advice and guidance and will continue to champion their role in the wider system. We are establishing a training framework and, in partnership with Health Education England, further training and resources to help Guardians improve their skills and knowledge. We will support and encourage all Trusts to see the benefit of listening to their staff and creating the right environment to make speaking up business as usual.

There is a lot of uncharted territory because this is new approach for everyone in the NHS. My reflection after 100 days is that the system has to work for the most vulnerable workers and I have been struck by the personal experiences of staff who have raised concerns in the past. There are challenges ahead to ensure all NHS Trusts and Foundations Trusts have effective and thriving freedom to speak up cultures in their organisations. There is very good work happening however this is not consistent across England. Everyone has a lot to learn, improvement is possible and we are here to support this improvement.

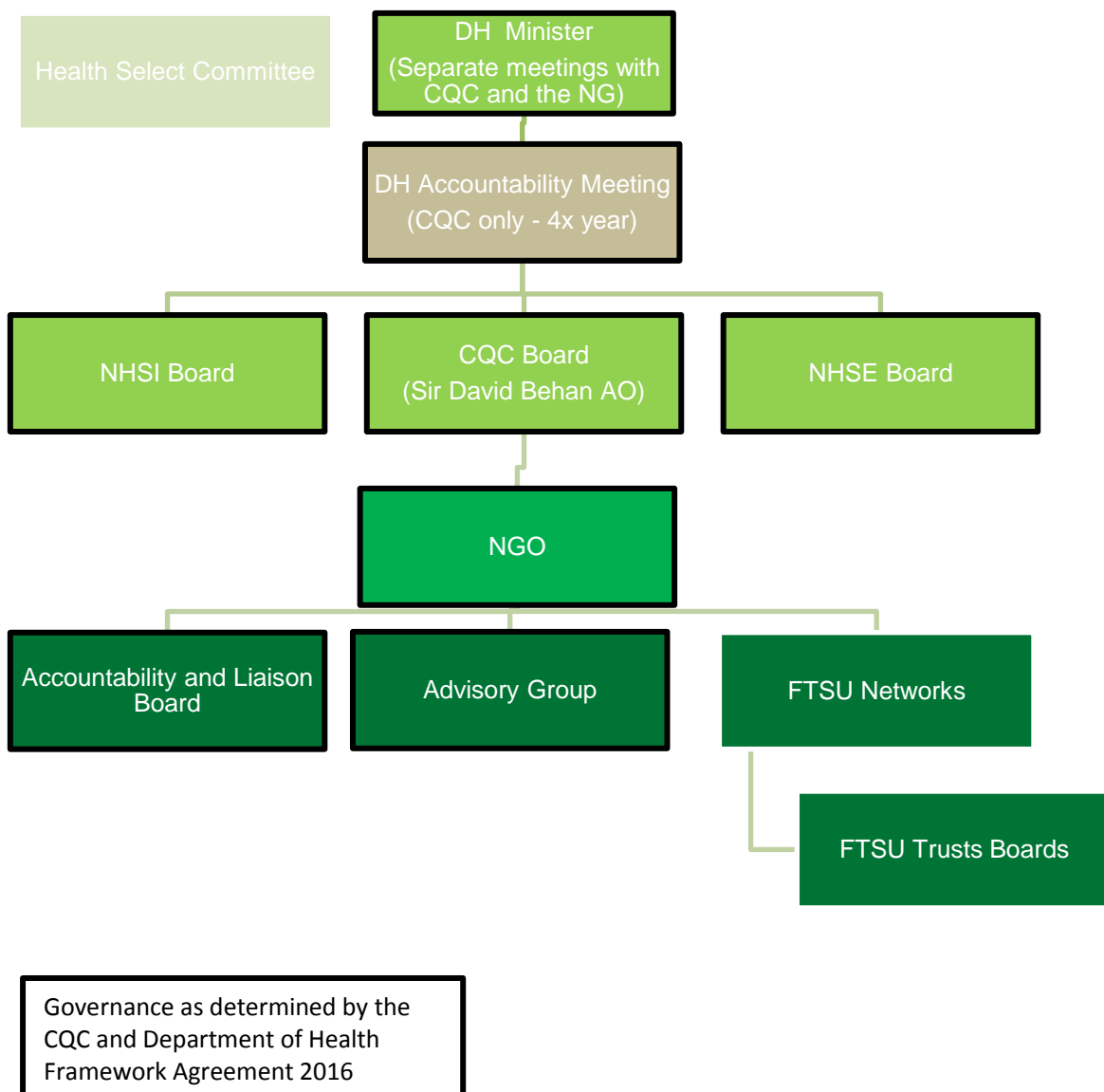
Annexes

Annex A – The National Guardian Office governance structure

The National Guardian meets directly with the Minister of State for Health twice a year to provide an update on progress, as well as providing updates to the Health Select Committee.

The National Guardian meets with the main sponsor boards once a year; more frequent meetings with Sir David Behan as the lead Accountability Officer (AO) for the National Guardian's Office. The National Guardian provides an annual report to the Board of each of the sponsor boards.

The National Guardian will take strategic advice and support from the Accountability and Liaison Board and Advisory Group. In addition the National Guardian Office supports the development of the Freedom to Speak Up network.



Accountability and Liaison Board

The main purpose of the NGO Accountability and Liaison Board is to hold the National Guardian to account, in particular to:

- Sign off the work programme and budget
- Strengthen the relationship between the NGO and sponsor organisations
- Receive regular progress reports and updates on key themes, including outcome trends from case reviews
- Act as an independent reviewer of complaints made against the NGO
- Act as critical friend and sounding board on strategic developments for the NGO

Membership and rotating Chairs of the Accountability and Liaison Board

Sir Robert Francis (CQC,), Dame Moira Gibb (NHS England) and Helen Buckingham (NHS Improvement).

Advisory Group

We are developing an advisory group to be the voice of patients, public and NHS workers in secondary care to help co design the case review process.