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# FREEDOM TO SPEAK UP GUARDIAN SURVEY 2021

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Senior leaders' essential role  
in Freedom to Speak Up

March 2022



**National  
Guardian**

Freedom to Speak Up

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# Foreword



**As the new National Guardian for the NHS, I appreciate how this survey of Freedom to Speak Up Guardians provides valuable insight into how the Guardian role is implemented. It helps me understand what further support and learning is needed to create a culture where speaking up is business as usual.**

The experience of Freedom to Speak Up Guardians reflects the continued pressures of the pandemic and its effects on the healthcare sector. I am especially grateful to Freedom to Speak Up Guardians for taking part in the survey, mindful of their significant workloads as they seek to support their colleagues whilst the sector remains under strain.

The picture guardians paint of speaking up in a sector still experiencing the effects of the pandemic is a complex one. Positively, many guardians who responded thought that speaking up culture had improved in the healthcare sector (72.8%) and in the organisations they support (74.3%) in the last 12 months. Yet there has been a fall in the proportion of respondents who said their organisation had a positive culture of speaking up, a drop of five percentage points from 2020 (to 62.8%).

## Senior leaders

Freedom to Speak Up Guardians do not work in isolation. Leaders set the tone for fostering a healthy speak up, listen up, follow up culture. In 2020, 80% of Freedom to Speak Up Guardians who responded to this survey said senior leaders supported workers to speak up. But in 2021, this fell to 71%. This nine-percentage point difference is a notable drop, which is cause for concern. Also of concern is the indication from 11.5% of respondents who felt that their senior leaders did not understand the Freedom to Speak Up Guardian role and 13.4% did not agree that senior leaders were effective role models for speaking up.

Senior leaders must understand how important fostering a positive speaking up culture is for the success of their organisation, how it protects their workers, their patients and service users. I urge all leaders to use the results of this survey to prompt a conversation with their Freedom to Speak Up Guardian. The benefits speaking up brings can only be realised if leaders listen up and follow up. Guardians can be a significant source of support for leaders, as an important additional route for speaking up, but they cannot do their job for them; however, they can support them

with the themes of what workers are speaking up about - whether those are patient safety concerns, ideas for improvement, or issues affecting their work or wellbeing.

The NGO, in collaboration with HEE, is launching the third and final module in the [Freedom to Speak Up e-learning](#) training package. This will provide an opportunity for leaders to pause and reflect on their influence in shaping the speaking up culture in their organisation; I urge you to undertake this training. The revised universal freedom to speak up policy and implementation tools that NHSEI will shortly be publishing will provide an additional opportunity to reset and refresh efforts to improve speaking up culture.

### **Working proactively**

It is only with the full support of their leaders that Freedom to Speak Up Guardians can fully deliver the two key elements of their role. One part is reactive – listening to workers, thanking them and supporting them so that their voices can be heard, and actions are taken. The other part is the proactive element – supporting their organisation to learn from the opportunities that speaking up brings and tackling barriers to speaking up wherever they are.

For the first time in this survey, we asked guardians about the proportion of time they spent on these two aspects of their role. The highest proportion of respondents were those who spent three-quarters of their time on the reactive elements of the role and one quarter on the proactive aspects. A third of respondents said they had a 50:50 split but 10.3% of respondents indicated that they only work reactively.

This is just one example of the inconsistencies across the system in how the Freedom to Speak Up Guardian role is implemented and this matters: speaking up will not become business as usual if guardians are spending all their time acting as an additional channel rather than working in their organisations to overcome the barriers that result in workers feeling that they must come to a guardian in the first place.

### **Barriers to speaking up**

According to the perception of guardians responding to the survey, the fear of retaliation for speaking up was the greatest barrier to speaking up. In addition, nearly a quarter of respondents said the concern that nothing will be done about the matter raised had a very strong impact as a barrier to workers speaking up. These findings are not new but continue to illustrate the importance of creating an environment where workers do not feel fearful of speaking up and where everyone can see how speaking up is used to make a difference. I ask all leaders to consider what actions their organisations are taking to reduce the fear of futility of speaking up.

### **Detriment**

Guardians tell us that workers continue to say that they feel they experience detriment for speaking up. This is reflected in the information they provide the National Guardian Office in their quarterly data returns. Whilst this survey tells us

that 72% of respondents agreed that detriment was taken seriously, it also shows that nearly one in ten (9.5%) believed that the response to detriment were ineffective.

It is not enough for there to be a statement of zero tolerance on detriment in a speaking up policy. I want to see senior leaders take note of these findings and take more actions to reduce the level of detriment that is being experienced.

### **Assurance and oversight**

Boards, trustees, governors and those with an oversight role have a duty to assure themselves that the behaviours and the culture in the organisation are operating as they should. So, it is disappointing that there was an 11-percentage point decrease in respondents who said they had sufficient access to the board or equivalent, down from 94.0% in 2020 to 83.1% in 2021.

The insights that Freedom to Speak Up Guardians bring us are so important in helping understand the behaviours and culture that workers experience in practice. These insights can highlight challenges and act as an early warning system of where failings might occur. Recent, high-profile, cases have highlighted the consequences of not embracing speaking up in this spirit; this influences the whole sector and, as a result, the truth can be silenced. I ask all senior leaders to prevent this. The starting point is to listen with compassion and embrace speaking up as a means of learning and improving. It is an opportunity when workers speak up to us and something that must be encouraged, supported and acted upon as it is vital for patient safety and worker wellbeing.



**Dr Jayne Chidgey-Clark**

**National Guardian for the NHS**

**March 2022**

### **Acknowledgements**

We want to thank Freedom to Speak Up Guardians for participating in the survey, particularly given the additional pressures on the healthcare system. We also want to thank Picker Institute Europe for their expertise and support in running the survey.

## National Guardian's Office

The [National Guardian's Office](#) works to make speaking up business as usual in England's healthcare sector.

The office leads, trains and supports Freedom to Speak Up Guardians and provides learning and challenge on speaking up matters to the healthcare system.

Since the establishment of the NHS National Guardian's Office in 2016 following the recommendation of Sir Robert Francis' [Freedom to Speak Up Review](#), the network of Freedom to Speak Up Guardians has grown to over 800. Freedom to Speak Up Guardians support workers in a range of organisations in primary and secondary care, the independent sector and national bodies.

## Freedom to Speak Up Guardians

Freedom to Speak Up (FTSU) Guardians support workers to speak up and work within their organisation to tackle barriers to speaking up.

NHS trusts and providers of NHS care subject to the [NHS standard contract](#) must appoint a Freedom to Speak Up Guardian and follow the National Guardian's Office's (NGO) guidance on speaking up.<sup>1</sup> Increasingly, other organisations are also introducing the Freedom to Speak Up Guardian role.

## Freedom to Speak Up Guardian Survey: 2021/22

We undertook this survey to gain insight into the implementation of the Freedom to Speak Up Guardian role and how this could be improved. Feedback from respondents helps us assess developments since the launch of the Freedom to Speak Up Guardian role and identify and prioritise improvements that we may need to make to support the Freedom to Speak Up network.

This is the fifth survey of its kind. Please see [here](#) for reports from our previous surveys.

We invited 745 Freedom to Speak Up Guardians to participate in the survey, which was open from 13 September to 31 October 2021. In total, there were 333 responses - a response rate of 44.7%.

Table 1 (below) shows the number of those invited to participate in the survey by organisation type and the percentage of those groups that completed the survey.<sup>2</sup>

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<sup>1</sup> Though some primary care and independent healthcare providers subject to the NHS standard contract have appointed Freedom to Speak Up Guardians, many have not. This needs to continue to change so that all workers have access to this essential, additional route to speak up.

<sup>2</sup> The breakdown by organisation type excludes respondents from organisations with fewer than five respondents in order to protect anonymity

<b>Organisation Type</b>	<b>Invites sent</b>	<b>Surveys completed</b>
NHS Trust/Foundation Trust	374	212
Independent Provider of Healthcare Services	150	41
National Bodies	64	21
Hospice	51	24
Clinical Commissioning Groups	37	10
Other (inc. primary care)	61	-
<b>Total</b>	<b>737</b>	<b>325</b>

*Table 1: Respondents by organisation type*

There were some changes to the questions in the 2021/22 compared to previous years. Please see [here](#) for the Freedom to Speak Up Guardian Survey 2021 Question List.

All questions in the survey were voluntary, and so the number of responses to each question varies. Results are shown as a percentage of the total number of responses to each question.

The survey included questions regarding the following areas:

- Health and wellbeing
- Freedom to Speak Up Guardian networks
- National Guardian's Office

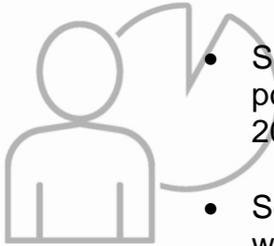
We will be publishing the results in bespoke reports in the first half of 2022/23.

# Key Findings



## Speaking up culture

- Almost three quarters of respondents (74.3%) thought that the speaking up culture in the organisation(s) they support had improved over the last year. A similar portion (72.8%) thought the same about the healthcare sector.
- Sixty-three per cent (62.8%) of respondents said their organisation had a positive culture of speaking up, down five percentage points compared to 2020.
- Seven out of ten (70.8%) respondents said that senior leaders supported workers to speak up. This is a 10-percentage point decrease compared to last year (80.2%, 2020).
- Respondents perceived that fear of retaliation/suffering as a result of speaking up and concerns that nothing will be done were key barriers to speaking up in the organisation(s) they supported, with 69.0% of respondents saying that fear of retaliation/suffering due to speaking up had an impact on speaking up and 58.4% saying the same for the concern that nothing will be done in response to speaking up.
- Three quarters (75.3%) of respondents said action was being taken to tackle barriers to speak up. However, one in ten (11.3%) respondents said action had not been taken.
- Nearly 80% (28.4%) of respondents thought that action taken to tackle barriers to speaking up was somewhat or very effective.
- Seventy-two per cent (72.1%) of respondents agreed or strongly agreed that detriment was taken seriously in the organisation(s) they support but nearly one in ten (9.5%) thought that action taken was ineffective.



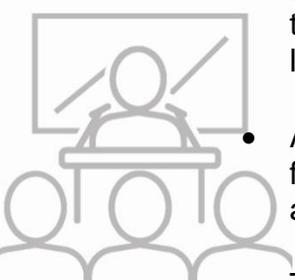
## Appointment and carrying out the role

- Most respondents (77.7%) said they were appointed to the Freedom to Speak Up Guardian role through fair and open competition. A greater portion of respondents supporting NHS Trusts or National Bodies said that they were appointed through fair and open competition compared to other organisations.
- Three-fifths of respondents (60.4%) had been in the role for 18 months or longer
- Respondents represented a wide range of occupational groups. Twenty-seven per cent (27.3%) of respondents were registered nurses and midwives.

- The most represented pay bands among respondents were Agenda for Change (AfC) band 7 (22.1%) and AfC band 8a (20.6%).
- Most respondents (72.1%) to the survey were confident that they were meeting the needs of workers in the organisation(s) they support as Freedom to Speak Up Guardian.
- Overall, respondents spent a greater proportion of their time on the reactive aspects of their Freedom to Speak Up Guardian role. Forty-five per cent (45.2%) of respondents spent most of their time on the reactive elements of the role, compared to 24.7% that spent most of their time on the proactive aspects of the role.
- Two-thirds (67.0%) of respondents that spent an equal amount of their time on the proactive and reactive aspects of the role thought that the allocation felt right to them. Most respondents that spent a greater portion of their time on the reactive aspects of the role thought that the allocation was not right.
- A greater proportion of respondents were reporting to their boards (or equivalent) in person, up 3.8 percentage points from last year to 81.3%.
- Seventy-two per cent (71.7%) of respondents felt valued by managers in the organisation(s) they support, up 3.3 percentage points (68.4%, 2020).
- Most respondents felt supported by their chief executive (85.7%) and senior leaders (77.9%).



- Ninety-three per cent (93.2%) of respondents said they felt safe speaking up to senior leaders. Four per cent (3.9%) did not feel safe speaking up to senior leaders.
- Almost three-quarters (74.1%) of respondents agreed with the statement: 'I feel confident that my suggestions and challenges to senior leaders will be acted upon.' However, one in ten (10.2%) disagreed or strongly disagreed.
- There was a 5.8 percentage point decrease in respondents who said they had direct access to the non-executive director (or equivalent) with speaking up as part of their portfolio, down from 87.7% in 2020 to 81.9% in 2021.
- There was an 11-percentage point drop in respondents who said they had sufficient access to the board (or equivalent), from 94.0% in 2020 to 83.1% in 2021.
- Less than half of the respondents (48.7%) said that they had sufficient time to carry out their Freedom to Speak Up responsibilities. Almost a third of respondents (32.6%) said it was insufficient.
- Twenty-nine per cent (28.6%) of respondents said they had insufficient budget for expenses associated with the role.



## Ring-fenced time

- Two-thirds (65.6) of respondents had ring-fenced time to carry out their role, a 4.7 percentage point decrease compared to the previous year (70.3%, 2020).
- A greater proportion of respondents with ring-fenced time said that they had sufficient time to carry out their Freedom to Speak Up responsibilities. Twenty-seven per cent (27.2%) of respondents with ring-fenced time strongly agree that they had sufficient time compared to 5.5% of respondents with no ring-fenced time.

## Training for workers

- Four out of five (79.5%) respondents said speaking up training was available for workers at the organisation(s) they supported; 67.1% said training was available on listening up.
- Most respondents said that this training was not mandatory.
- Around two-thirds (64.4% - 67.8%) thought speaking up and listening up training was effective.

## Demographics

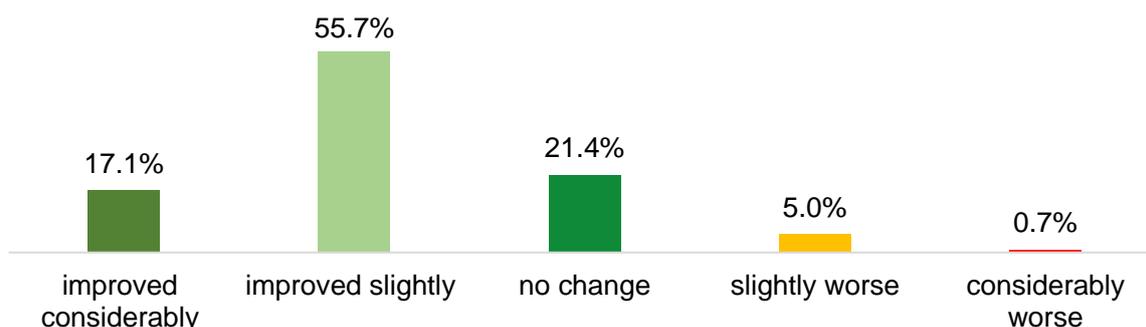
- Four out of five (79.7%) respondents were female.
- Fifteen per cent of respondents (15.2%) were from an ethnic minority background, up from 9.1% in 2020.
- Most respondents (52.9%) were in the 51-65 age band.
- Eighty-seven per cent (86.6%) of respondents identified as heterosexual. Four per cent (3.8%) were gay or lesbian and 2.1% were bi-sexual.
- Over a quarter (25.9%) of respondents said they had a long-term health condition (physical or mental) lasting or expected to last for 12 months or more. This was an 8.6 percentage point increase compared to 2020.

# Recommendations

- Senior leaders should deepen their support for speaking up by taking action to demonstrate learning from speaking up, tackling detriment, and supporting further cooperation within organisations on all matters related to speaking up.
- To improve their ability to act as effective role-models for speaking up we encourage all senior leaders to complete the NGO / HEE 'speak up, listen up, follow up' training.
- Senior leaders should discuss the findings of this survey with their Freedom to Speak Up Guardian and assess with them the amount of ring-fenced time and the balance of time available for reactive and proactive support for speaking up
- There should be visible action on detriment for speaking up wherever this is reported.
- The frequency and status of training on speaking up matters should be reviewed so that guardians and leaders can satisfy themselves that workers and those who support them have the knowledge and skills they need to speak up, listen up, and follow up, well.
- Senior leaders should take the necessary steps to tackle the perception that speaking up is futile, including ensuring appropriate action is taken when individuals speak up and that they are offered timely and meaningful feedback.

# Changes in speaking up culture

We asked guardians about their perceptions of how the speaking up culture in the healthcare sector had changed over the past year. Seventy-three per cent (72.9%) of respondents said it had improved considerably or slightly.



**Figure 1.** Which of these statements best describes how Freedom to Speak Up culture has changed in the last 12 months in: The healthcare sector

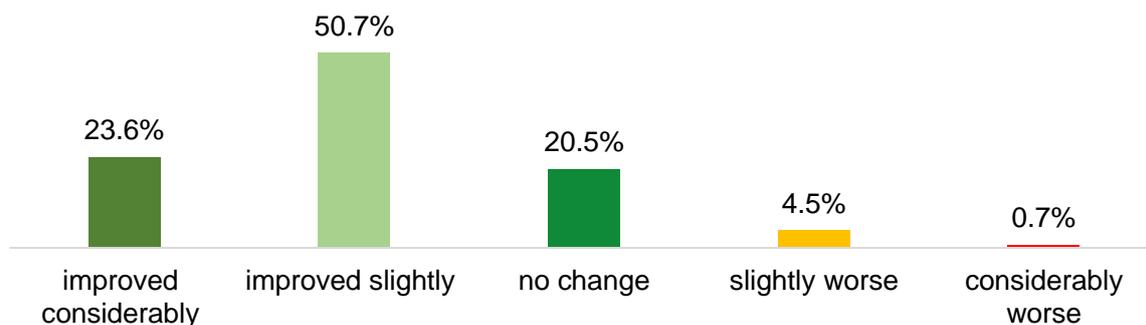
In previous surveys, we sought perceptions of the speaking up culture specifically in the NHS rather than the healthcare sector. In 2020, 80% of respondents said the speak-up culture in the NHS had improved considerably or slightly.

Three quarters (75.0%) of respondents supporting NHS trusts thought the speak-up culture in the healthcare sector had improved (considerably or slightly) in the last 12 months. This compares with 80.6% of respondents supporting independent supporting independent healthcare providers and 50.0% of respondents supporting hospices.

## Organisations supported by Freedom to Speak Up Guardians

We asked respondents to share their views on how the speaking up culture in the organisation(s) they support had changed over the preceding 12 months.

Almost three-quarters of respondents (74.3%) said the speaking up culture in the organisation(s) they support had improved: 23.6% said it had considerably improved and 50.7% that it had slightly improved.



**Figure 2.** Which of these statements best describes how Freedom to Speak Up culture has changed in the last 12 months in: The organisation(s) you support

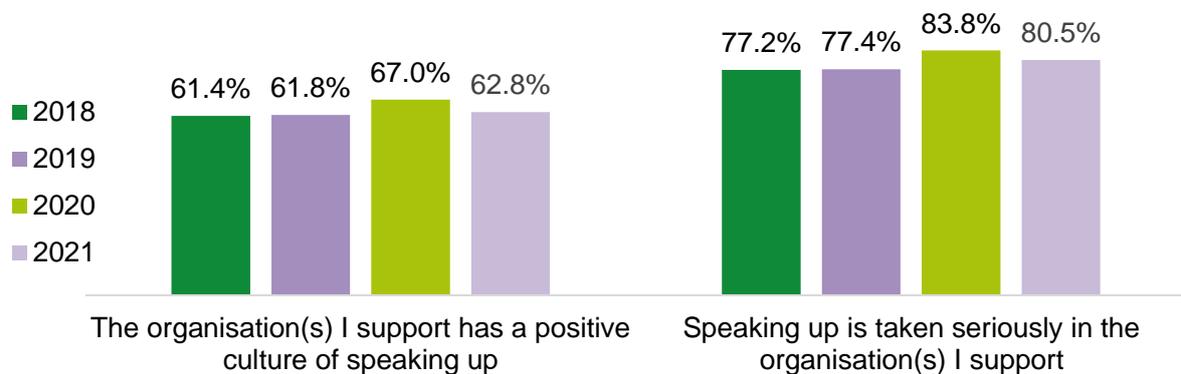
A minority of respondents (5.2%) said that the speaking up culture in the organisation(s) they support had deteriorated.

In previous surveys, we asked guardians about how Freedom to Speak Up culture in their organisation had changed in the last 12 months. In 2020, eighty-four per cent (84%) of respondents said that it had improved slightly or considerably.<sup>3</sup>

In 2021, we found that the responses varied depending on the type of organisation(s) supported by the respondents: seventy-eight per cent (78.1%) of respondents from independent healthcare providers said the culture had improved, 73.8% for respondents supporting NHS trusts said the same, as did 65.2% for those supporting hospices.

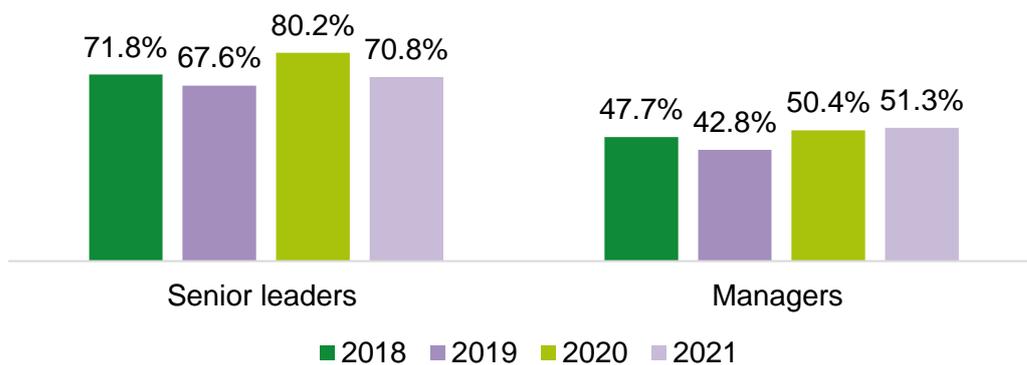
<sup>3</sup> National Guardian's Office, [Freedom to Speak Up Guardian Survey 2020: Guardian insights on support for and barriers to speaking up](#), page 41.

As in previous surveys, we sought guardians' views on statements about the speaking up culture in their organisation(s) (figure 3, below).



**Figure 3.** Agree or strongly agree

Sixty-three per cent (62.8%) of respondents agreed or strongly agreed with the statement that the organisation(s) they support has a positive speaking up culture. In 2020, 67.0% of respondents agreed or strongly agreed with this statement.

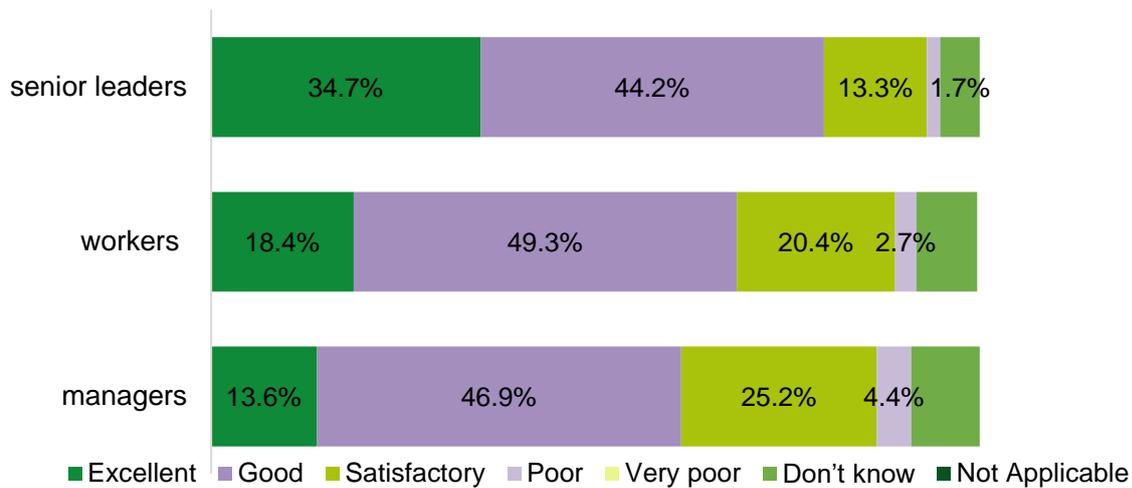


**Figure 4** '... support workers to speak up' (agree or strongly agree)

Seven out of ten respondents (70.8%) said that senior leaders support workers to speak up. This was a 9.4 percentage point decrease compared the previous survey results.

The proportion of respondents agreeing or strongly agreeing with the statement that managers support workers to speak up continued to increase, up from 42.8% in 2019 to 51.3% in 2021.

For the first time, we asked respondents to rate - on a scale from 'excellent' to 'very poor' - their perceptions of eight aspects of freedom to speak up in the organisation(s) they support. The aspects included confidence in the Freedom to Speak Up Guardian role among certain staff groups (please see figure 5, below).

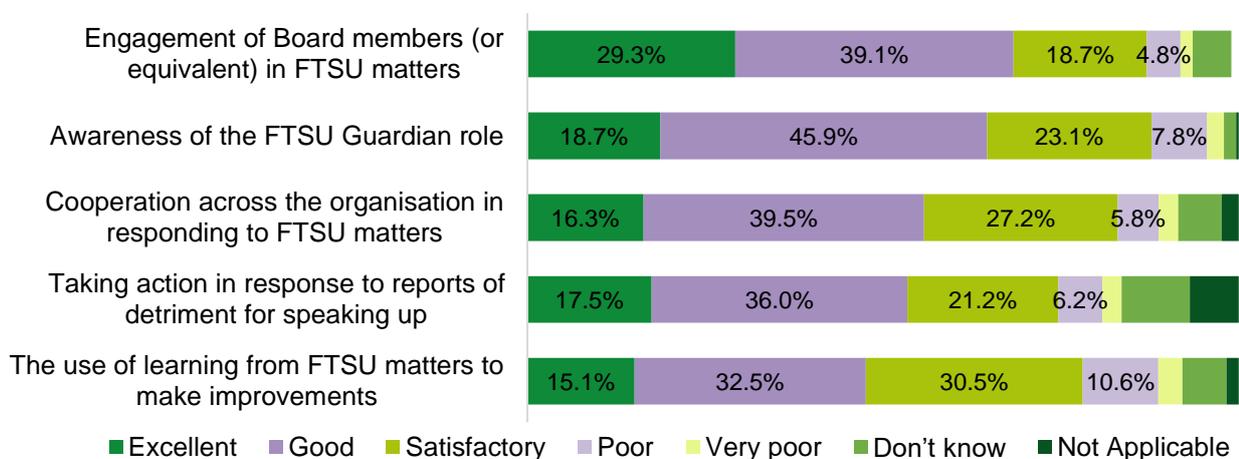


**Figure 5.** How would you rate each aspect at the organisation(s) you support? 'Confidence in the FTSU Guardian role among...'

In every case, most respondents gave a 'good' or 'excellent' rating regarding these staff groups' confidence in the Freedom to Speak Up Guardian role.

Almost eight out of 10 (78.9%) respondents rated senior leaders' confidence in the role as 'good' or 'excellent', meaning that it was the aspect of freedom to speak up that attracted the greatest portion of 'good' or 'excellent' ratings.

The engagement of board members (or equivalent) in FTSU matters was also rated relatively highly, with over two-thirds of respondents (68.4%) rating it 'good' or 'excellent'



**Figure 6.** How would you rate each aspect at the organisation(s) you support?

In contrast to the above findings, forty-eight per cent (47.6%) of respondents rated the use of learning from FTSU matters in the organisation(s) they support as 'good' or 'excellent'. This aspect also attracted the highest portion of 'poor' and 'very poor' ratings (14.0%) (see figure 7, below).

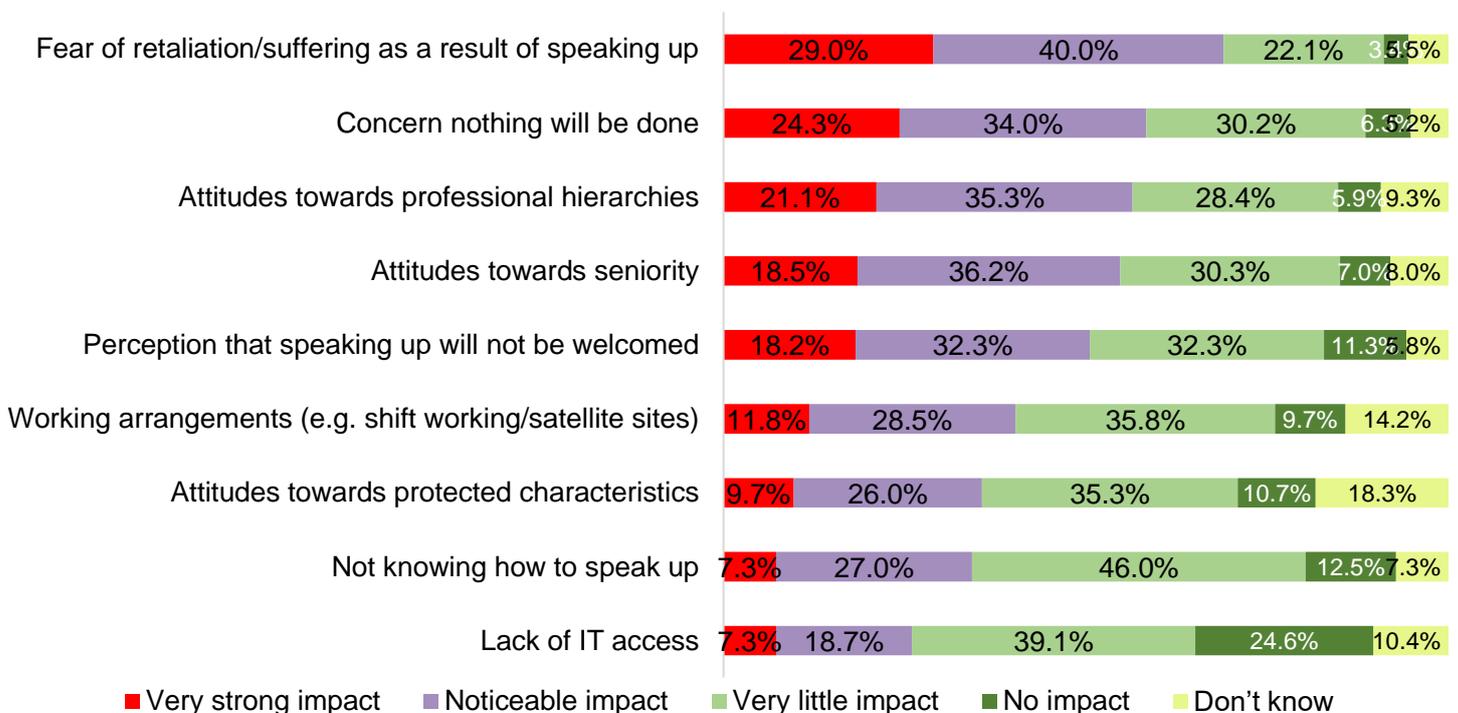
Awareness of the FTSU Guardian role was among the aspects of freedom to speak up that attracted the highest proportion of 'good' and 'excellent' ratings, but one in ten (10.2%) of respondents gave it a 'poor' or 'very poor' rating.



**Figure 7.** How would you rate each aspect at the organisation(s) you support? 'Poor' or 'very poor' ratings

## Barriers to speaking up

On a scale from 'no impact' to 'very strong impact', we asked guardians to share their perceptions of the degree to which certain factors act as barriers to speaking up.



**Figure 8** To what degree do the following act as barriers to speaking up for workers in your organisation

Thirty per cent (29.0%) of respondents said that fear of retaliation/suffering due to speaking up had a very strong impact on speaking up. A further 40.0% said that it had a noticeable impact.

Almost a quarter of respondents (24.3%) thought that the concern that nothing will be done in response to speaking up had a 'very strong impact' on speaking up. Thirty-four per cent (34.0%) said it had a noticeable impact.

The following were also each identified by around a fifth of respondents as having a 'very strong impact' as a barrier to speaking up:

- Attitudes towards:
  - Professional hierarchies (21.1%)
  - Seniority (18.5)
- Perception that speaking up will not be welcomed (18.2%)

Most respondents thought that a lack of IT access (63.7%) or not knowing how to speak up (58.5%) had very little or no impact on speaking up.

These results echo other findings. For instance, research we commissioned ([Difference Matters](#), 2021) found that the two most significant barriers to people raising concerns were fear of repercussions from managers/other leaders and a belief nothing will change as a result:

- I didn't believe anything would change
- I was worried about repercussions from my line manager/other leaders

The Institute of Business Ethics (IBE) found that fear and futility remained barriers to speaking up. The IBE's [Ethics at Work: 2021 international survey of employees](#) found a decrease in willingness to speak up in the UK since 2018, and the most common reasons for this were concern about jeopardising jobs and not believing corrective action would be taken.

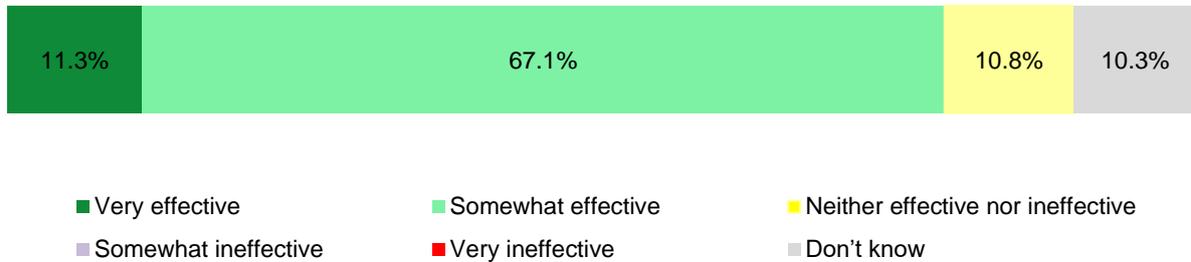
### Acting against barriers to speaking up

We asked guardians if and what action had been taken to tackle barriers to speaking up, as well as their thoughts on its effectiveness.



**Figure 9.** How effective are the actions?

Three quarters (75.3%) of respondents said action had been taken to tackle barriers. Eleven per cent (11.3%) of respondents who said that actions had been taken to tackle barriers to speaking up felt they were very effective. Sixty-seven per cent (67.1%) said they were somewhat effective, and just over one in ten thought they were neither effective nor ineffective. Fewer than one per cent said actions were somewhat or very ineffective.



**Figure 10.** How effective are the actions?

Guardians described the actions taken to tackle barriers to speaking up. A key theme arising from these responses was the continuation of efforts to improve awareness of Freedom to Speak Up, including reaching out to groups who perhaps were not speaking up as often.

*"Where there ...[is] evidence of barriers, managers have meetings and help promote the need for speaking up with more listening exercises and awareness"*

*"Visiting hard to reach groups of staff with little IT access"*

*"Discussions with HR who can seem negative about the FTSU service"*

*"Lots of positive involvement from CEO/Chief People Office."*

*"More board to ward rounds across different shift patterns, FTSUG has been included in these events."*

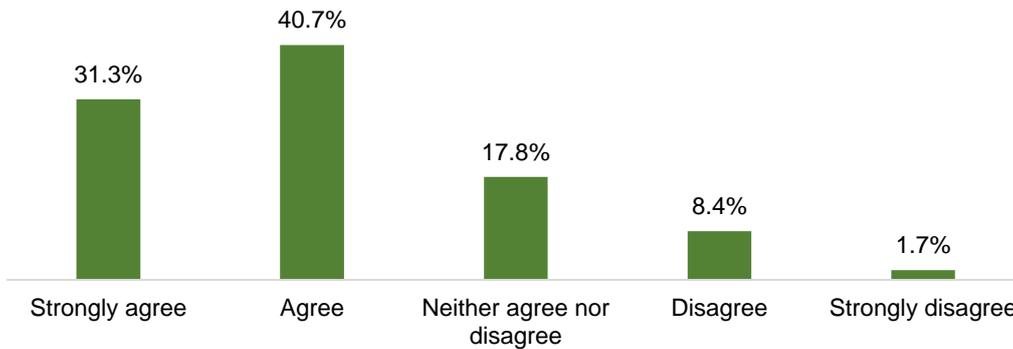
## Detriment

Workers should be able to share improvement suggestions or voice concerns without fearing or experiencing detriment.

Detriment refers to disadvantageous or demeaning treatment as a result of speaking up, such as being ostracised, given unfavourable shifts, being overlooked for promotion, and being moved from a team. Such treatment can be deliberate or the result of a failure to act (i.e. an omission).

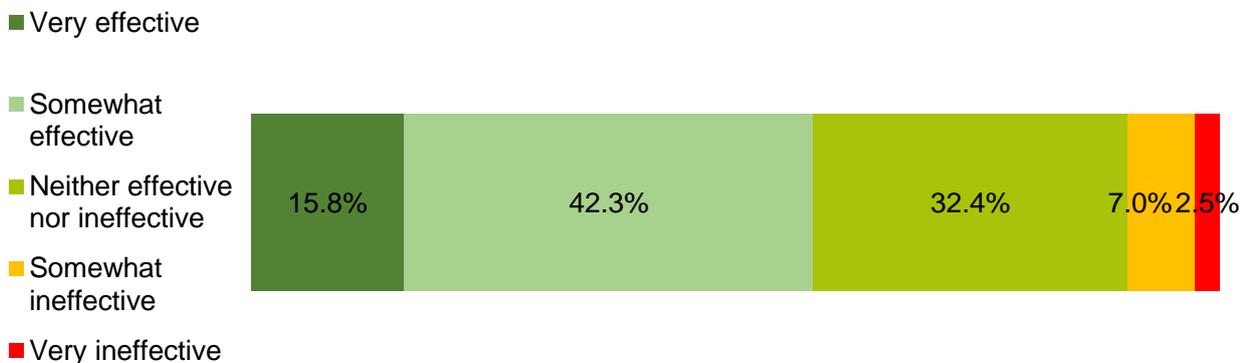
Workers who experience detriment - or witness or hear about it happening to others - may hesitate to speak up themselves. Therefore, it is particularly important that effective action to tackle detriment is taken.

Seventy-two per cent (72.1%) of guardians agreed or strongly agreed when presented with the statement: 'Detriment is taken seriously in the organisation(s) I support'. However, over one in ten (10.1%) disagreed with it.



**Figure 11.** Detriment is taken seriously in the organisation(s) I support

When asked about the effectiveness of responses to detriment, only 58.1% of respondents described this as somewhat effective or very effective. Nearly a third of respondents (32.4%) considered actions as neither effective nor ineffective and 9.5% of respondents considered them to be somewhat or very ineffective.



**Figure 12.** How effective is the response to detriment in the organisation(s) you support?

We invited respondents to share information about the action taken to tackle detriment. The responses included the explicit communication detriment was unacceptable and respect for the confidentiality of those speaking up:

*"...staff and managers... reminded about possible repercussions of detrimental treatment towards staff who speak up and staff are reminded that detrimental treatment will not be tolerated and that they will [be] protected... if necessary through the use of HR policies"*

*"Chief Exec talks about detriment and that this is taken seriously... and consideration undertaken if it has happened."*

*"Confidentiality is maintained"*

However, some respondents indicated that more could be done to tackle detriment:

*"I'm not sure anything is [done], other than us having a policy against it"*

*"in reality, very little [is done]"*

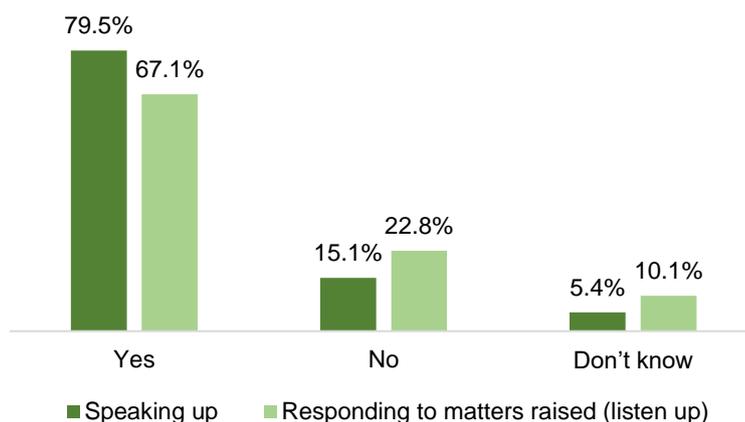
*"Not enough [is done]. The problem lies in professional hierarchies and behaviours - not so much a 'management' issue as one of interpersonal relationships, tribes and cliques."*

*"Nothing [is done]. I've raised it numerous times."*

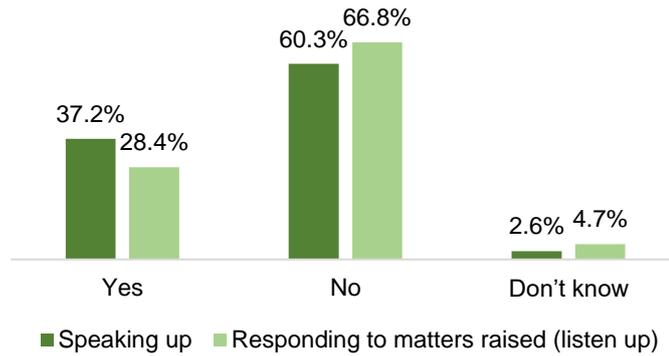
## Training for workers

Workers need to know how to speak up and respond well to others speaking up. This includes thanking people for speaking up, taking timely and appropriate action in response to the matter raised, and providing and seeking timely and meaningful feedback from those who have spoken up.

The NGO's guidance on [Freedom to Speak Up training](#) states that such training should be treated on a par with mandatory training. It also states that training should be repeated as often as appropriate to ensure that senior leaders have assurance that all workers have the knowledge they need to speak up and respond well. Nearly four in five of respondents (79.5%) said that that speaking up training is available, and over a third (37.2%) said that it is mandatory.

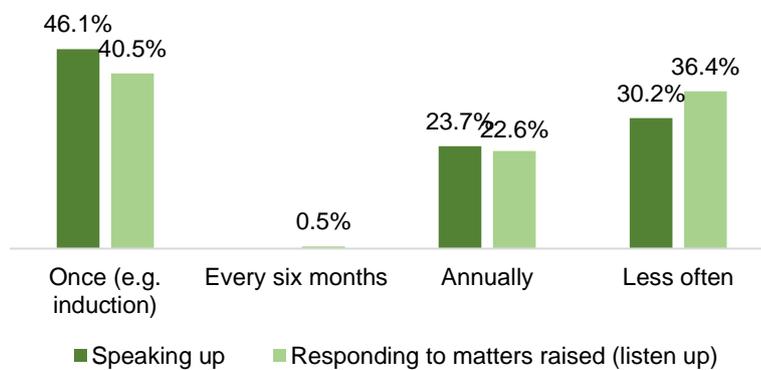


**Figure 13.** *Is training available for workers?*



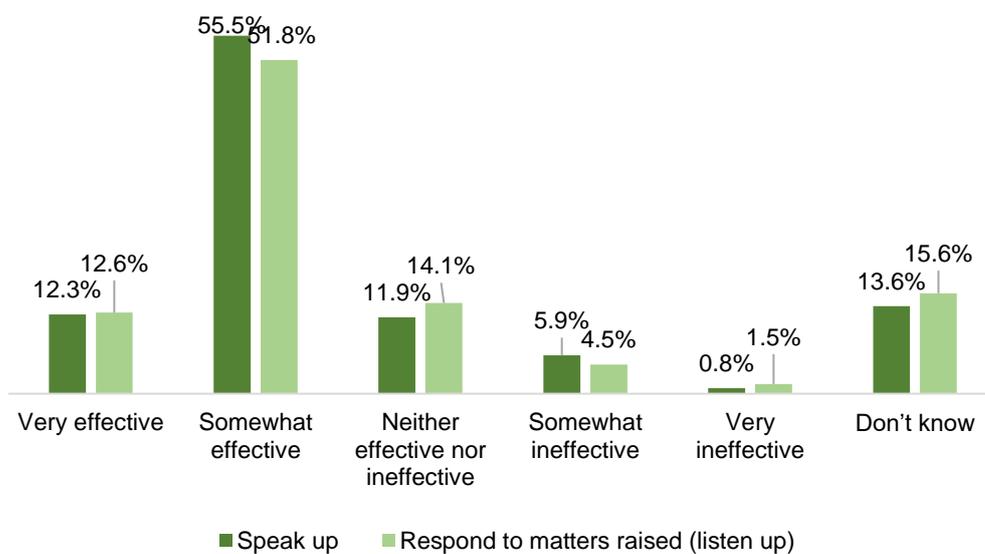
**Figure 14.** *Is training mandatory?*

Over 40% of respondents indicated that training was undertaken only once, with over 20% of respondents indicating that training was annual, and around a further 30% indicating that training was repeated but less frequently than annually.



**Figure 15.** *How often is training expected to be undertaken?*

Over half of respondents indicated that the training available was somewhat effective with just over a further 12% indicating that it is very effective.



**Figure 16.** *How effective do you think it is in enabling workers to ...*

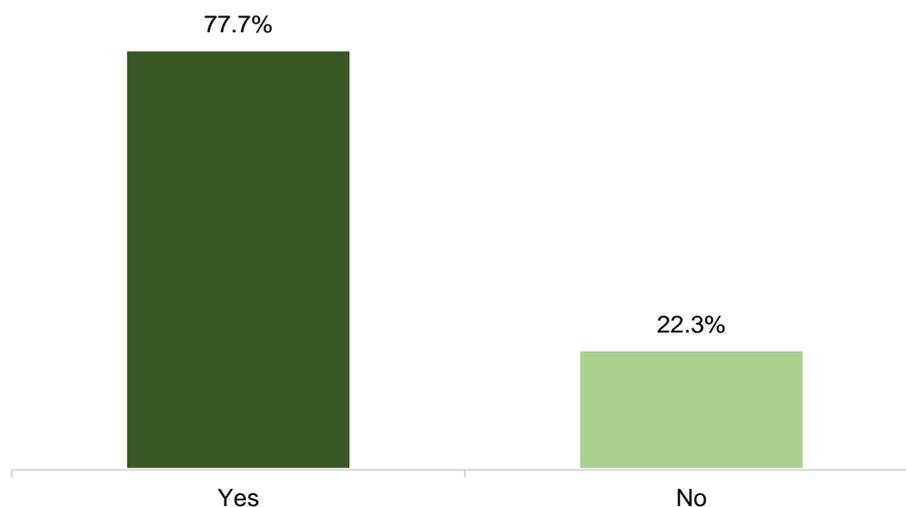
# Appointment and carrying out the guardian role

## Appointment

Appointments to roles should be made based on fair and open competition, and the Freedom to Speak Up Guardian role is no exception. This allows for the appointment of the best candidates and makes it more likely that workers will have confidence in their Freedom to Speak Up Guardian, including their operational independence, impartiality and objectivity.

We asked guardians how they were appointed to the Freedom to Speak Up Guardian role.

Over two-thirds (77.7%) of respondents reported that they were appointed through fair and open competition.



**Figure 17.** Were you appointed through fair and open competition?

A like-for-like comparison to previous surveys is not possible but in last year's survey 41% of respondents said they were appointed through open competition and a further 22% were approached, volunteered, elected or nominated with an interview.

We found that the results varied depending on the type of organisation(s) supported by the respondents. For example, a greater proportion of respondents supporting national bodies (95.0%) and NHS trusts (88.3%) were appointed through fair and open competition compared to other organisations. The proportion of respondents

appointed through fair and open competition fell to 43.5% for guardians supporting hospices.

We invited respondents who had not been appointed through fair and open competition to expand on their response. Most of the comments we received indicated that the respondents were individually approached and asked to take on the role. In some cases, this was because their pre-existing role was thought to be closely aligned with the Freedom to Speak Up Guardian role.

*"[I was] Advised I had to take the role"*

*"I was asked by the... board to take on the role"*

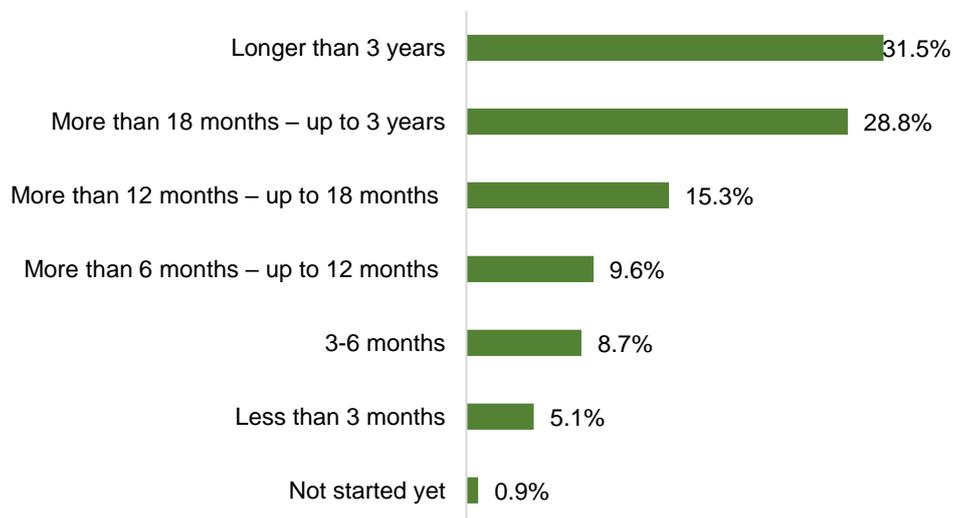
*"I was approached by the... CEO and asked if I would take on the additional role"*

*"[I was] requested to take the role by Senior Management"*

## Length of service

Sixty per cent (60.4%) of respondents had been in the Freedom to Speak Up Guardian role for 18 months or longer, which is in line with the preceding survey results.

Thirty-two per cent (31.5%) had been in the role longer than three years.



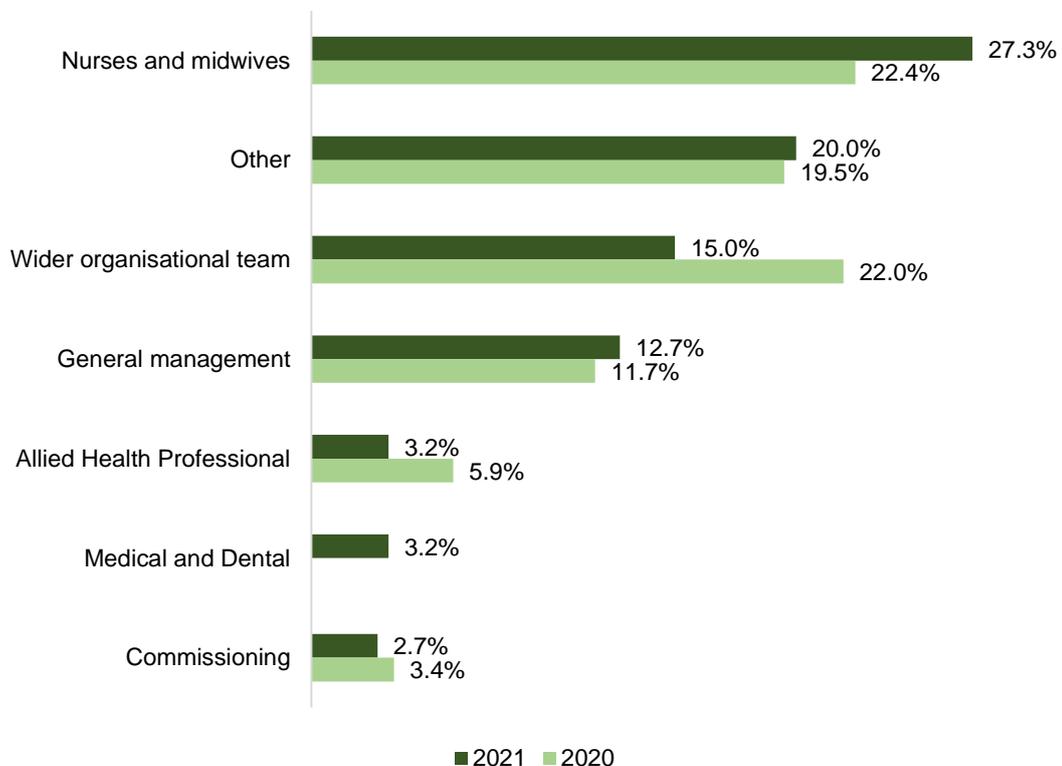
**Figure 18.** Length of time in the role

## Who is in the role?

Respondents came from various occupational groups, including nurses and midwives, general management and allied health professionals.

Nurses and midwives remained the most common occupation group among respondents. Twenty-seven per cent (27.3%) of respondents were registered nurses and midwives, a 4.8 percentage point increase from 2020.

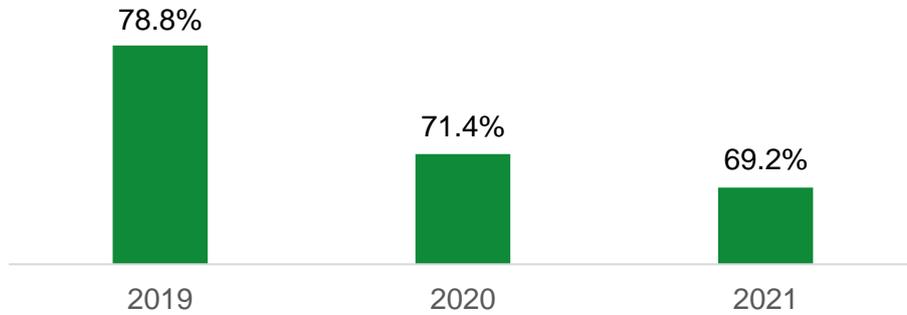
Fifteen per cent (15.0%) of respondents were from the wider organisational team, including administrative/clerical staff and corporate services (such as human resources, finance and information technology). In comparison, 22.0% of respondents in the preceding survey assigned themselves to this category. Twenty per cent (20.0%) of respondents defined themselves as 'Other', including trustees, lay members, volunteers and directors.



**Figure 19.** Occupational group

Respondents reported belonging to other occupational groups, but these have not been included in figure 19 (above) due to low numbers.

In addition to their guardian role, nearly 70 per cent (69.2%) of respondents had another role. The percentage of respondents with another role had declined since 2019, when it was 78.8%.

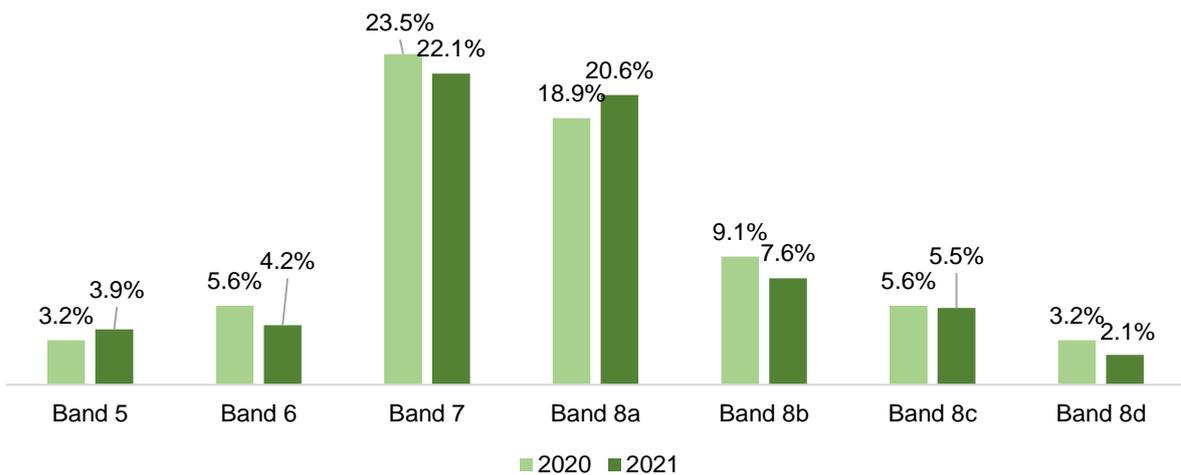


**Figure 20.** Do you have another role? ('Yes')

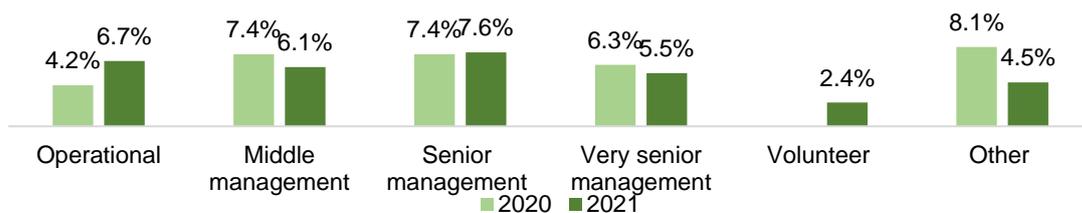
## Banding/grading

We asked respondents about their pay banding/grade.

Twenty-two per cent (22.1%) of respondents reported that they were in AfC Band 7, making this the most common banding/grading among respondents. This was followed by over a fifth (20.6%) as AfC Band 8A. AfC Bands 7 and 8A were also the two most common bands in the previous survey (see figure 21, below).



**Figure 21.** AfC Banding

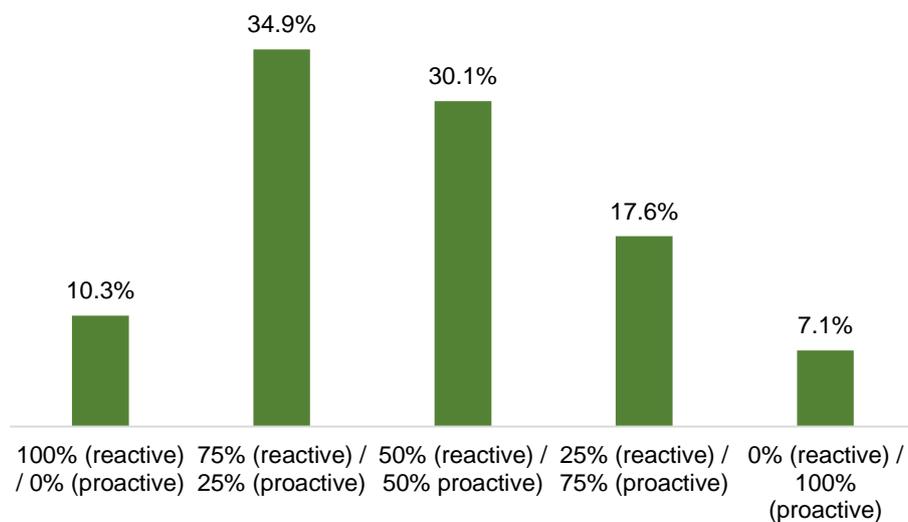


**Figure 22.** Non-AfC

## Reactive and proactive working

We asked guardians about how they split their time between the 'reactive' and 'proactive' aspects of their Freedom to Speak Up Guardian role.

Thirty per cent (30.1%) of respondents reported that their time was split 50:50 between working reactively (such as supporting workers who speak up to them) and working proactively (such as working within their organisation to tackle barriers to speaking up). Forty-five per cent (45.2%) of respondents spent most of their time working reactively with 24.7% of respondents spending more time working proactively.



**Figure 23.** Reactive/Proactive time split

We found variations in the responses to this question depending on the type of organisation(s) supported by respondents. For example, a greater proportion of respondents that supported NHS trusts spent a greater proportionate of their time on the reactive aspects of the role compared to those supporting independent healthcare providers.

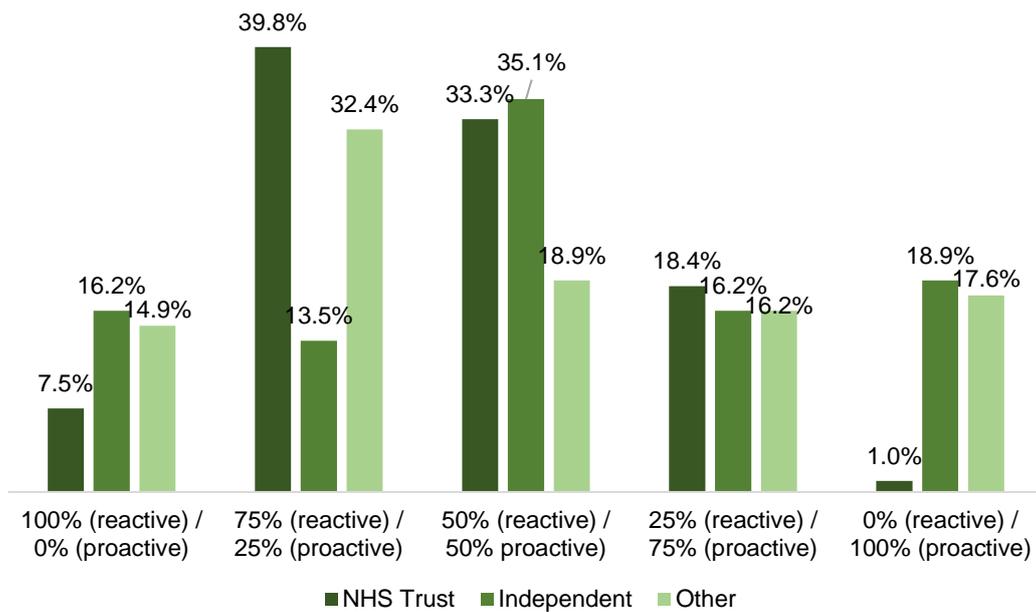


Figure 24. Reactive/Proactive time split by organisation type

We asked respondents whether the proportion of time they spent on the reactive and proactive aspects of the role felt right.

Nearly 43% of respondents (42.9%) said their time split felt right. Forty-one per cent (41.0%) said that it wasn't right. Sixteen per cent (16.0%) did not know.

Over two-thirds (67.0%) of respondents who spent an equal amount of their time on the proactive and reactive aspects of the role thought that the allocation felt right to them. However, respondents that spent a greater portion of their time on the reactive aspects of the role were mostly of the view that the allocation did not feel right.

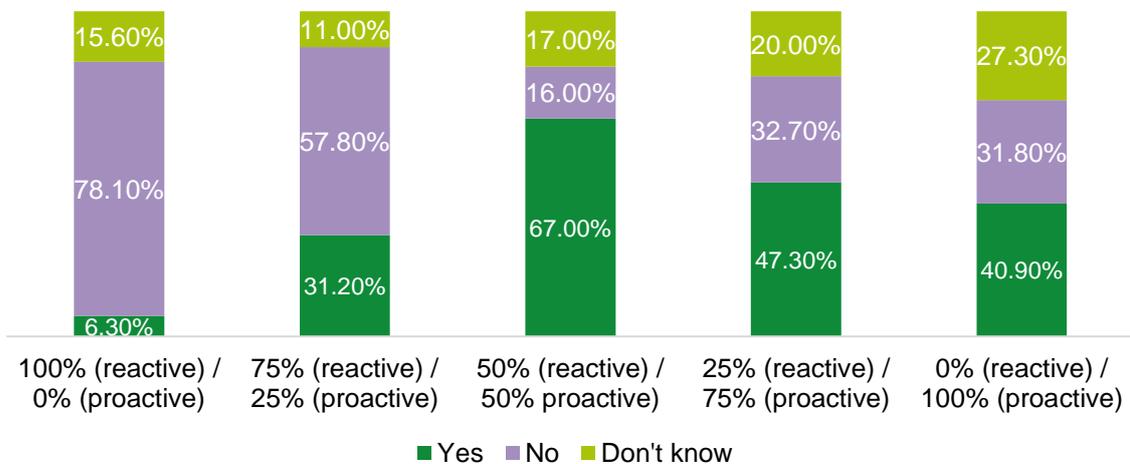


Figure 25. Reactive/Proactive time – does this proportion feel right?

## Access to chief executives, non-executive directors, and reporting to the board

Freedom to Speak Up Guardians should have the support of, and access to, chief executives (or equivalent) and board (or equivalent) in the organisations they support.

The expectation that Freedom to Speak Up Guardians have such access, and present their reports in person, is included in the [Guidance for Boards on Freedom to Speak Up](#) issued by NHS England and Improvement and supported by the National Guardian's Office.

Over nine in ten (93.0%) respondents had direct access to their chief executives (or equivalent), which was similar to the results in the previous year (93.7%, 2020).

Also, an increasing percentage of respondents were presenting Freedom to Speak Up reports to their boards (or equivalent) in person:

- 81.3% (2021)
- 77.5% (2020)
- 66.1% (2019)

However, compared to the previous survey results, there was a 5.8 percentage point decrease in respondents who had direct access to the non-executive director (or equivalent) with speaking up as part of their portfolio, down from 87.7% in 2020 to 81.9% in 2021.

## Access to resources for the role

Freedom to Speak Up Guardians should have sufficient access to the resources they need to carry out the role effectively.

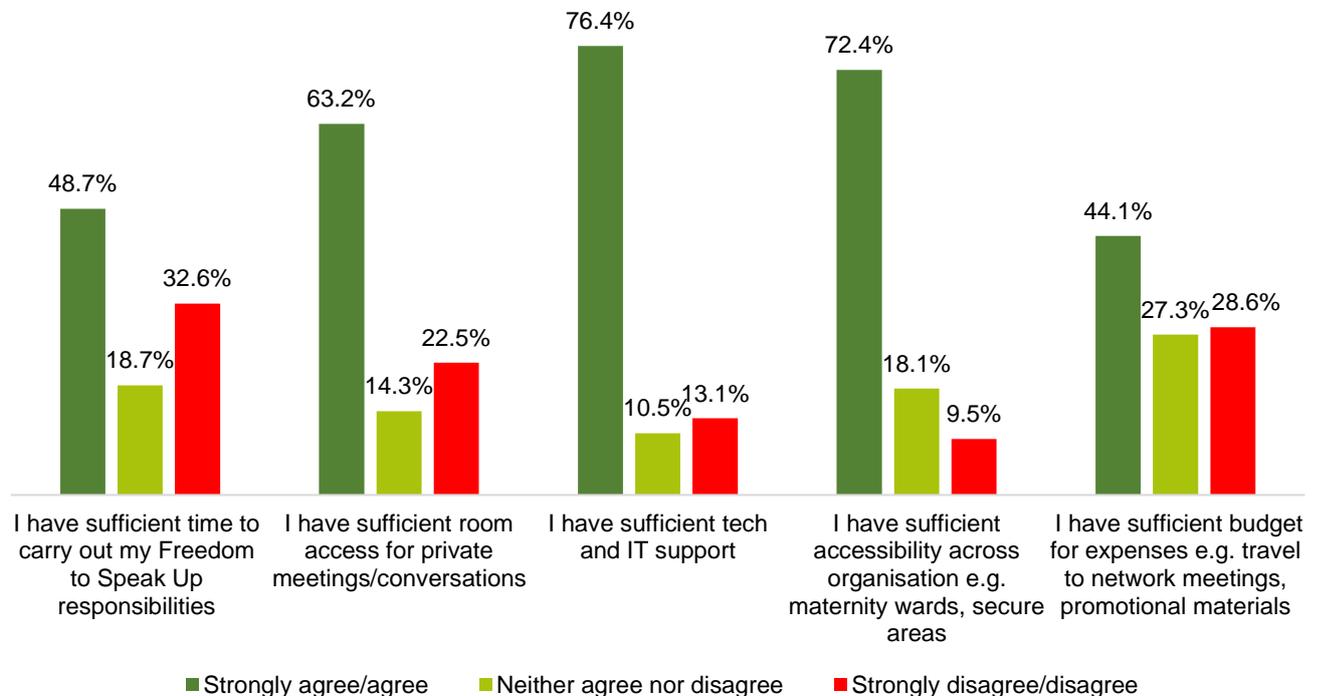
Most respondents said that they had sufficient access to the following resources:

- Technology and IT support, 76.4% strongly agree or agree
- Accessibility across the organisation (, maternity wards, secure areas), 72.4% strongly agree or agree
- room access for private meetings/conversations, 63.2% strongly agree or agree

Less than half of the respondents said that they had sufficient access to other resources identified in the survey:

- Time to carry out the Freedom to Speak Up responsibilities, 48.7% strongly agree or agree
- Budget for expenses (e.g., travel to network meetings, promotional materials), 44.1% strongly agree or agree

'I have sufficient time to carry out my Freedom to Speak Up responsibilities' was the statement that attracted the most disagreement among respondents. Just under a third of respondents disagreed with it, strongly or otherwise.



**Figure 26.** Access to resources for the role

### Value and support for Freedom to Speak Up Guardians

Freedom to Speak Up Guardians were asked whether they felt valued by those in the organisations they support.

There was a 3.3 percentage point increase from 2020 to 2021 for respondents agreeing or strongly agreeing that they felt valued by managers, the highest result in three years. However, managers remain the group that attracted the lowest proportion of agree/strongly agree responses.

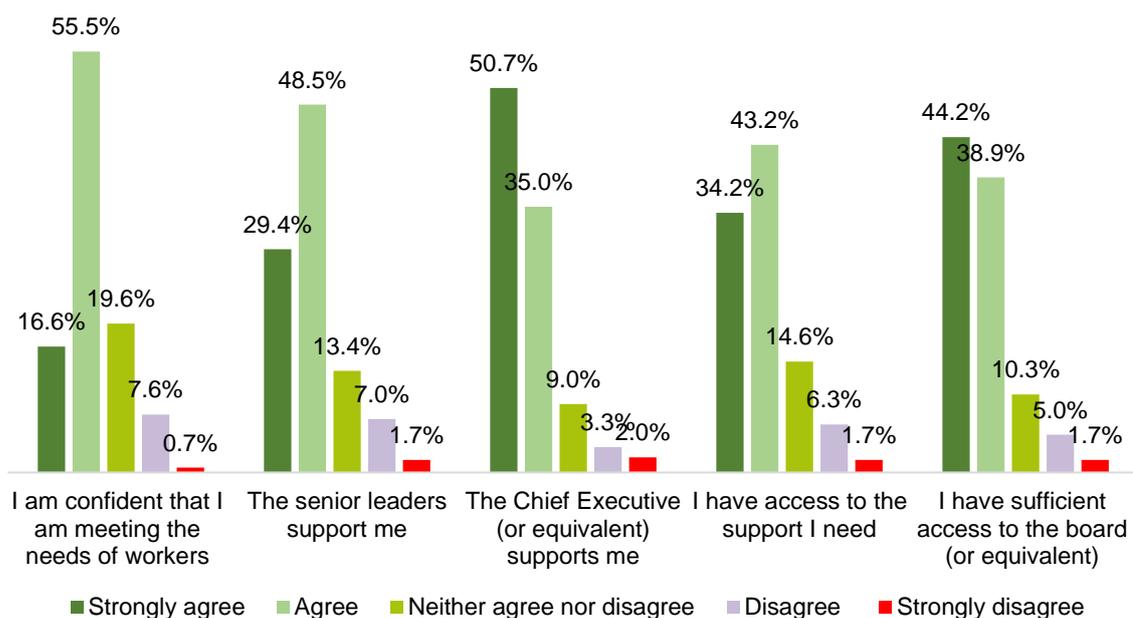
There was a small percentage point decrease in respondents feeling valued by senior leaders and individuals they support (1.7 and 2.4 percentage points respectively). The result for workers remained very similar to 2019 and 2020.



**Figure 27.** I feel valued by... % answering strongly agree/agree

Most respondents (72.1%) to the survey were confident that they were meeting the needs of workers in the organisation(s) they support. However, 8.3% did not think this was the case for them.

Respondents also felt supported by the senior people in their organisation, with 85.7% of respondents agreeing or strongly agreeing that their Chief Executive (or equivalent) supports them and 77.9% agreeing or strongly agreeing that senior leaders support them. In contrast, however, there was an 11-percentage point decrease in respondents who said they had sufficient access to the board (down from 94.0% in 2020 to 83.1% in 2021).



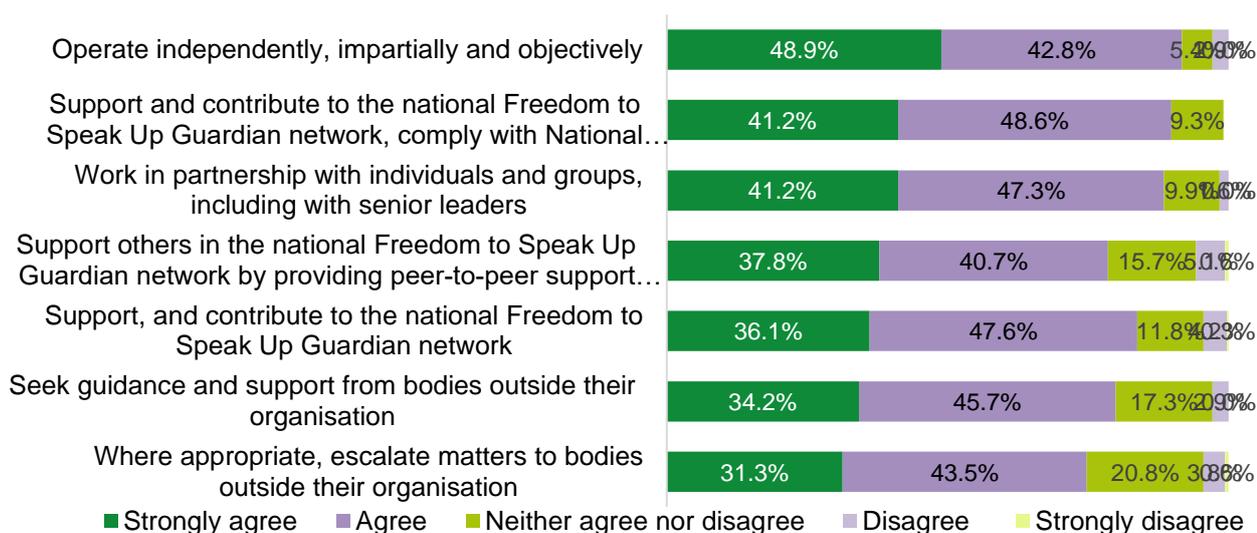
**Figure 28.** Confidence, support and access

## Job requirements and promoting outcomes

There is a [universal job description](#) for the role of Freedom to Speak Up Guardian which contains key requirements for anyone undertaking the role.

We asked guardians about their ability to meet elements of the job description, as show in figure 29 (below).

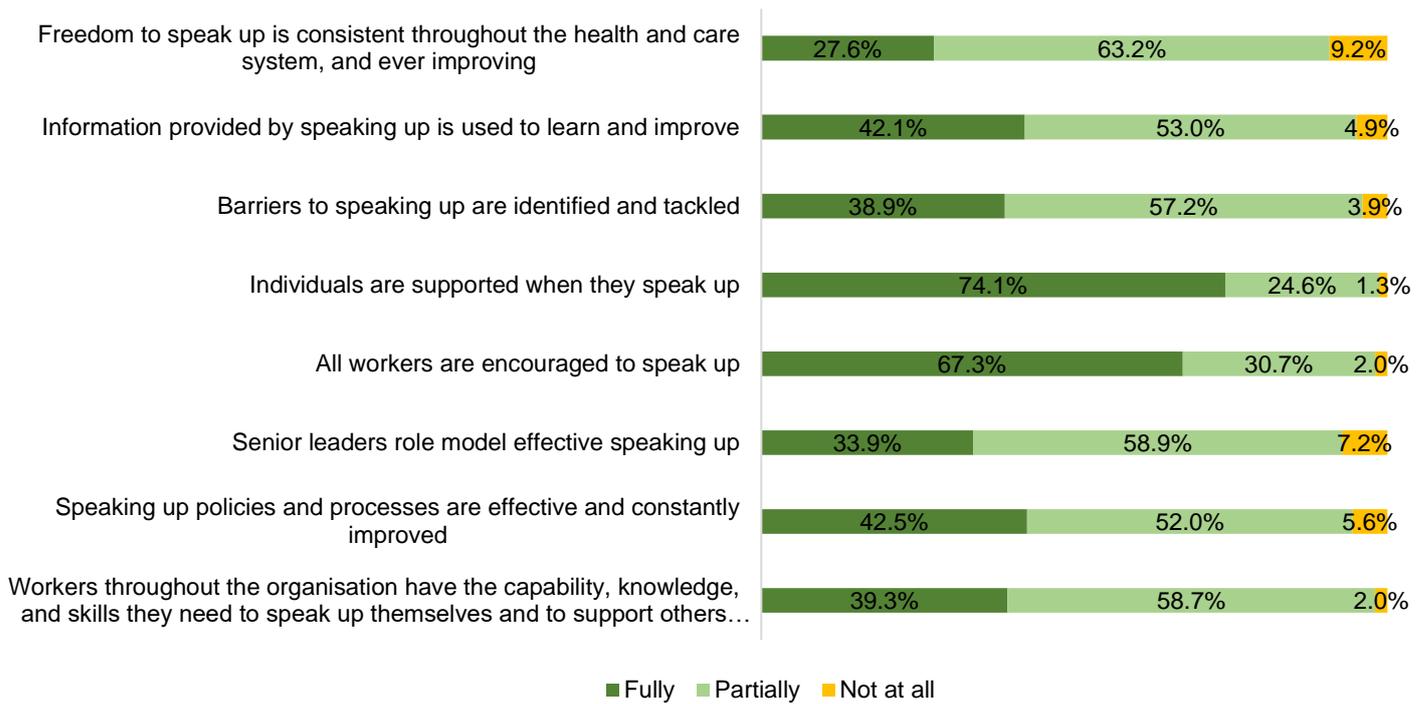
For each element, most respondents agreed or strongly agreed that they felt able to meet the job description requirements.



**Figure 29.** Ability to meet requirements of role

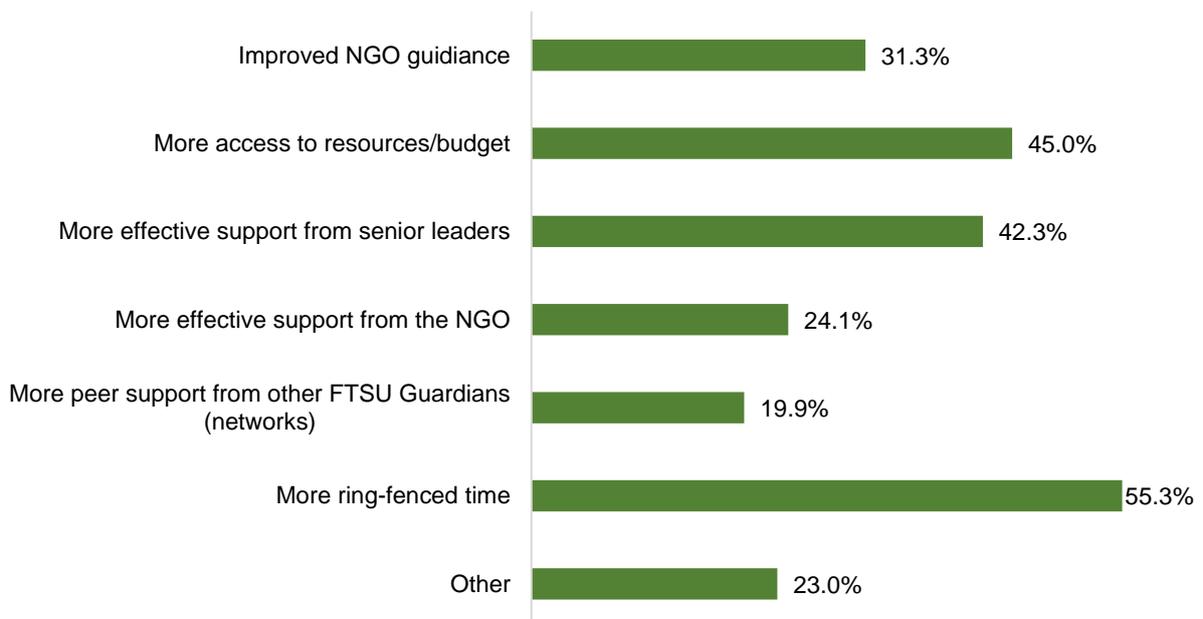
The job requirements for a Freedom to Speak Up Guardian includes intended outcomes for the role. We asked guardians about the extent to which they have taken action to promote these outcomes in the past 12 months (see figure 30, below).

The outcome that attracted the highest proportion of agreement was for supporting individual who speak up, with three-quarters (74.1%) of respondents reporting that they had fully taken action in this area. The outcome with the lowest proportion of respondents saying they had fully taken action was making sure Freedom to Speak Up is consistent throughout the health and care system, and ever improving.



**Figure 30.** To what extent have you taken action to promote the following outcomes in the last 12 months

We asked guardians what would enable them to meet the expectations of the job description more fully. Six suggestions were offered plus an ‘other’ category. The most common suggestion chosen was ‘more ring-fenced time’ (selected by 55.3% of respondents), followed by access to more resource (45%) and more support from senior leaders (42.3%).

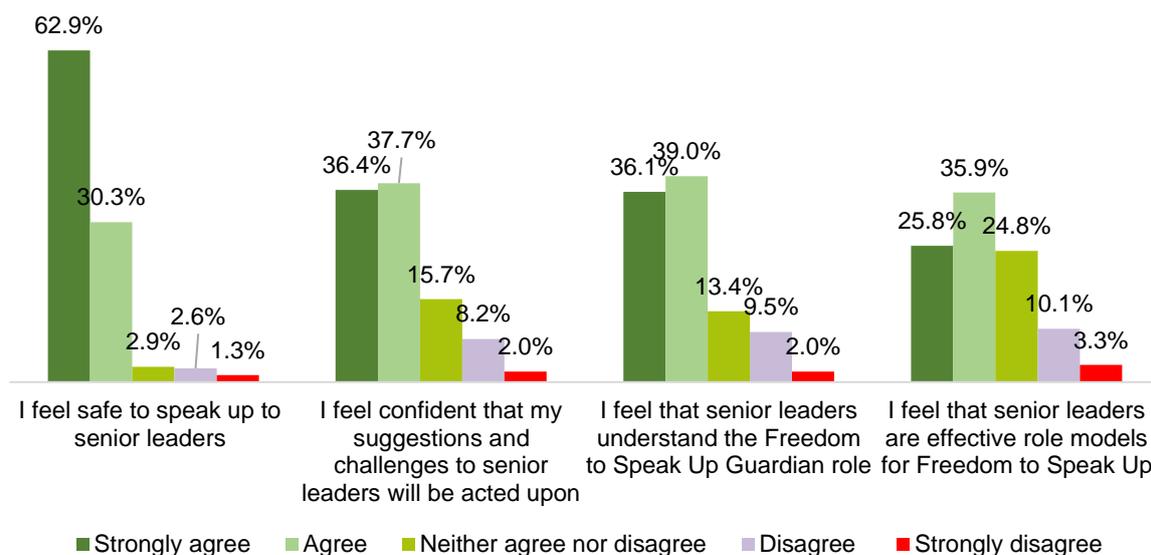


**Figure 31.** What would enable you to meet those expectations more fully?

## Senior Leaders

Freedom to Speak Up Guardians should feel able to make suggestions and challenge senior leaders – and be assured that these will be actioned. This year’s survey had a detailed focus on senior leaders as the support and actions of senior leaders are key to promoting a positive speaking up culture.

Over nine out of ten respondents (93.2%) agreed or strongly agreed that they felt safe speaking up to senior leaders (see figure 32, below).



**Figure 32.** Senior Leaders

Most respondents felt that senior leaders understood the Freedom to Speak Up Guardian role (75.1%). However, 11.5% did not agree that senior leaders in the organisation(s) they support understood the role.

Almost three quarters of respondents (74.1%) also agreed or strongly agreed with the statement: ‘I feel confident that my suggestions and challenges to senior leaders will be acted upon’, though one in 10 (10.2%) disagreed or strongly disagreed this statement.

A smaller majority of respondents (61.7%) agreed or strongly agreed with the statement: ‘I feel confident that senior leaders are effective role models for Freedom to Speak Up’. Thirteen per cent (13.4%) of respondents disagreed or strongly disagreed with the statement.

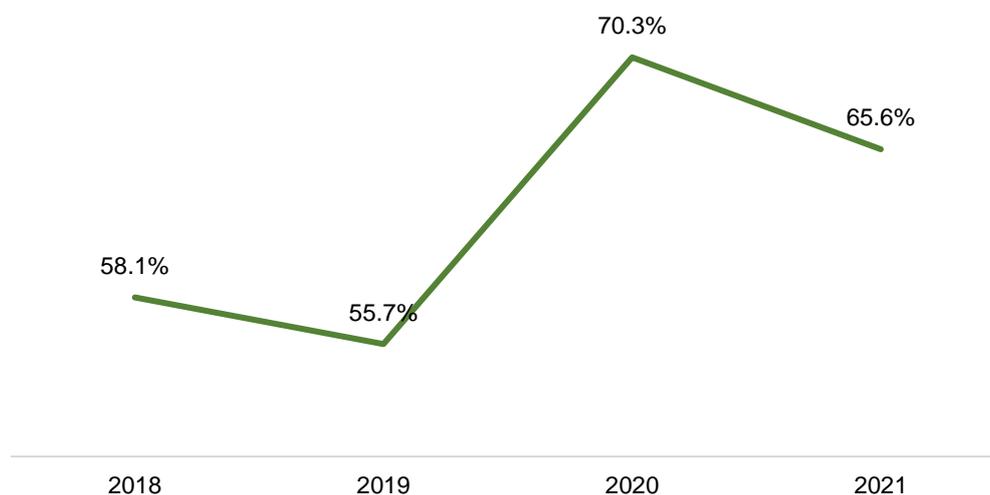
# Ring-fenced time and its impact

The National Guardian’s Office recommends ring-fenced time should be allocated to those in a speaking up role. This is an aspect of speaking up that is included in the CQC’s well-led inspection guidance, and [guidance](#) issued to trust boards includes an assessment of the amount of ring-fenced time Freedom to Speak Up Guardians have.

Following last year’s survey, we reiterated our [recommendation](#) that leaders should provide Freedom to Speak Up Guardians with ring-fenced time for the role, taking account of the time needed to carry out the role and meet the needs of workers in their organisation. We added that leaders should be able to demonstrate the rationale for their decisions about how much time is allocated to the role.

In this section of the report, we look closer at the impact of ring-fenced time on guardians responding to the survey.

This year there was a 4.7 percentage point decrease in respondents who had ring-fenced time to carry out their role, down from 70.3% in 2020 to 65.6% in 2021.



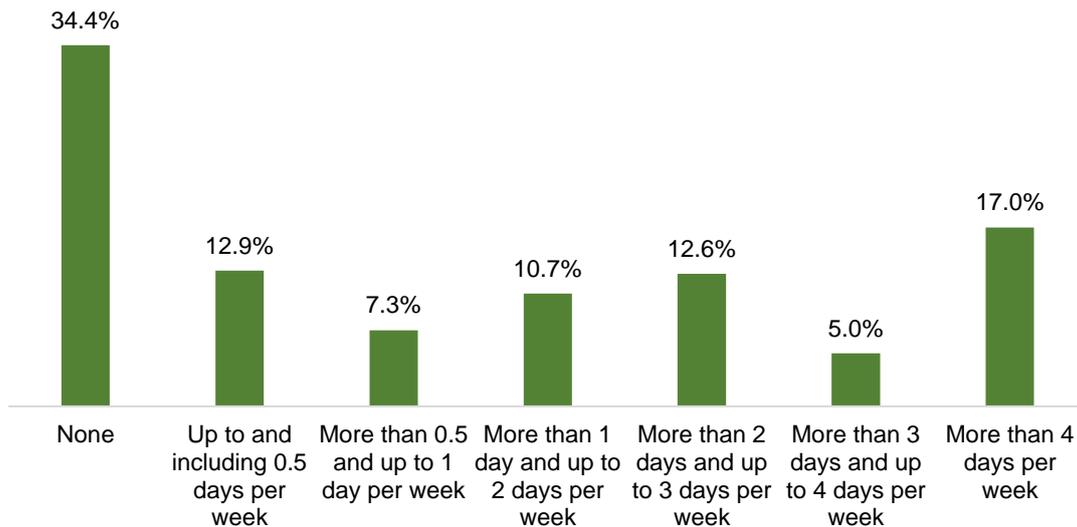
**Figure 33.** Ring-fenced time

Seventy-eight per cent (78.2%) of respondents from NHS Trusts had some ring-fenced time to carry out the role (at least half a day per week). In comparison, 20.8% of respondents supporting hospices said that they have ring-fenced time. This might be expected to some extent due to the Freedom to Speak Up Guardian role being

more embedded in NHS Trusts. We have observed a general trend that more ring-fenced time is allocated to the role as it becomes more established.

We also observed that 61.1 per cent of those with ring-fenced time had been in the role for at least 18 months.

The amount of ring-fenced time respondents continues to vary, as shown in Figure 34 below.

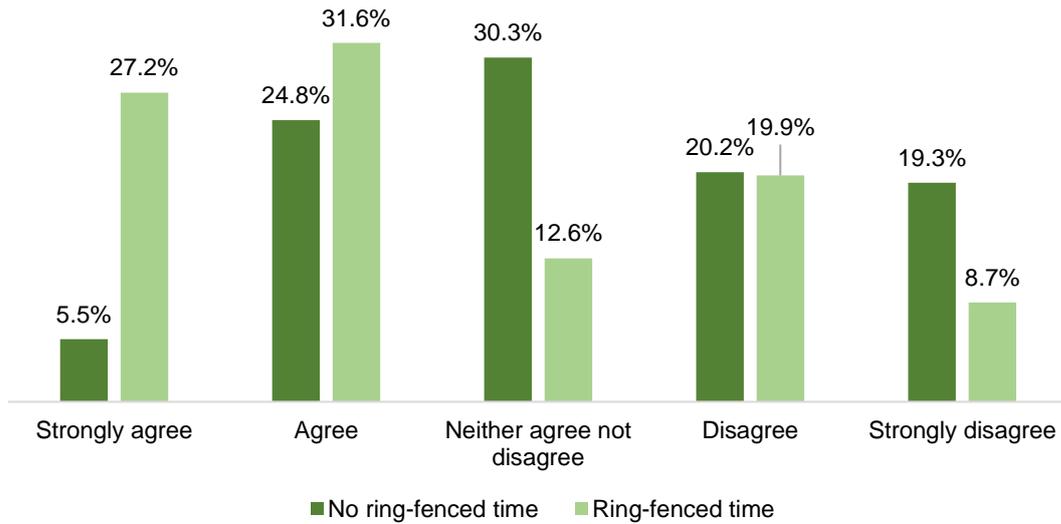


**Figure 34.** Ring-fenced time 2021

Most respondents (83.5%) said the amount of ring-fenced time they have had not changed over the past 12 months. Thirteen per cent (12.7%) said it had increased and 3.8% said it decreased.

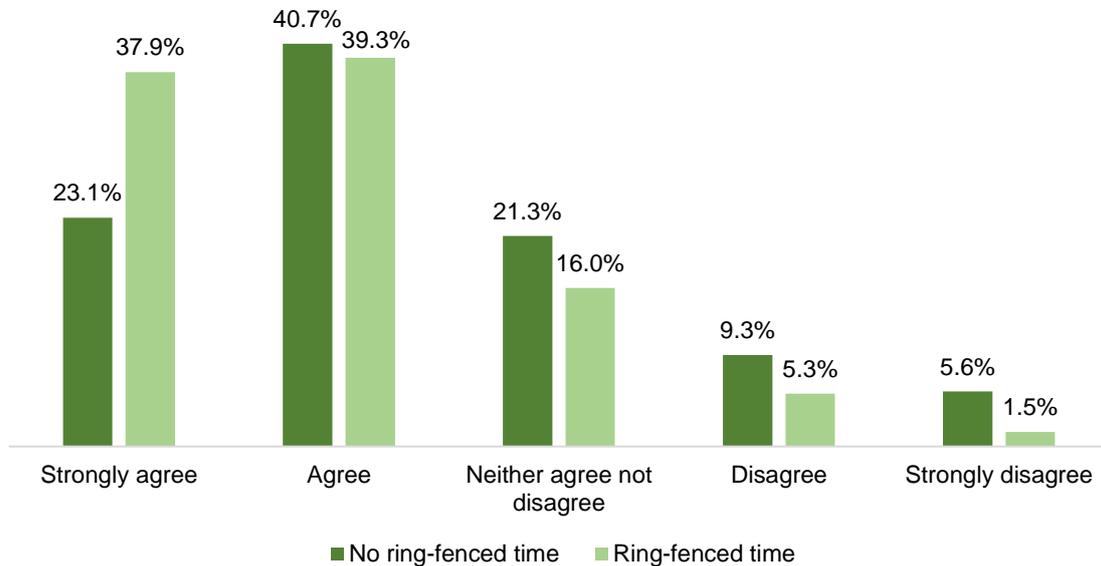
### Sufficient time to carry out the role

Respondents who had ring-fenced time to carry out their role (at least half a day per week) were more likely to strongly agree (27.2%) with the statement 'I have sufficient time to carry out my Freedom to Speak Up responsibilities' compared to respondents with no ring-fenced time (5.5%). Nineteen per cent (19.3%) of respondents with no ring-fenced time strongly disagreed with the statement compared to 8.7 per cent of those with ring-fenced time.



**Figure 35.** I have sufficient time to carry out my Freedom to Speak Up responsibilities

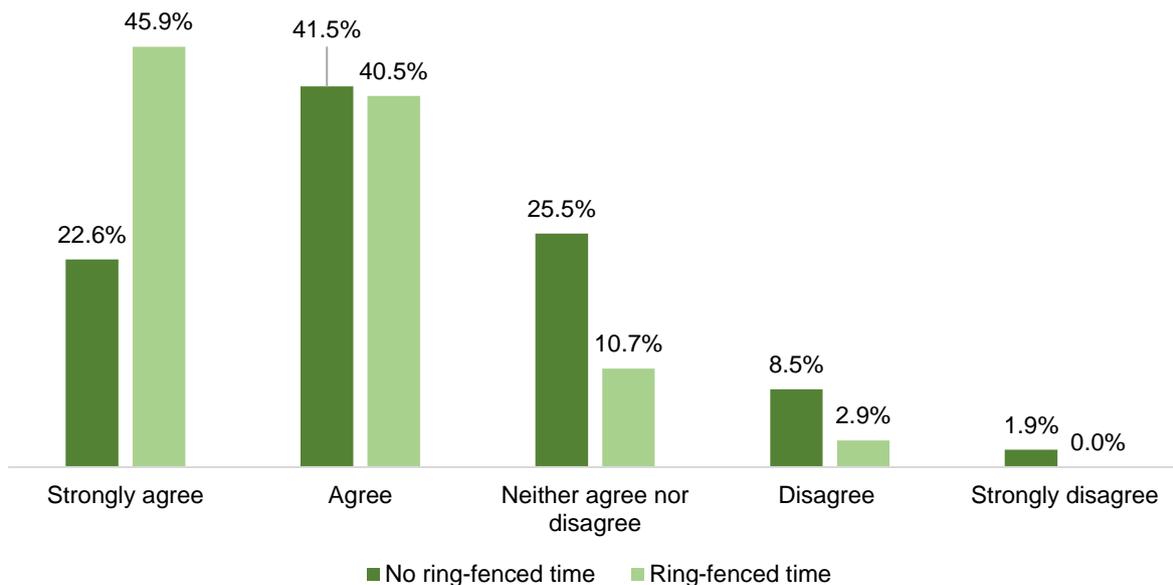
Respondents were also asked how far they agree with the statement ‘I have sufficient accessibility across the organisation e.g. maternity wards, secure areas. Less than a quarter of respondents with no ring-fenced time (23.1%) strongly agreed with this statement compared to 37.9% of respondents with ring-fenced time.



**Figure 36.** I have sufficient accessibility across the organisation

## Ability to meet the requirements of the role and promote outcomes

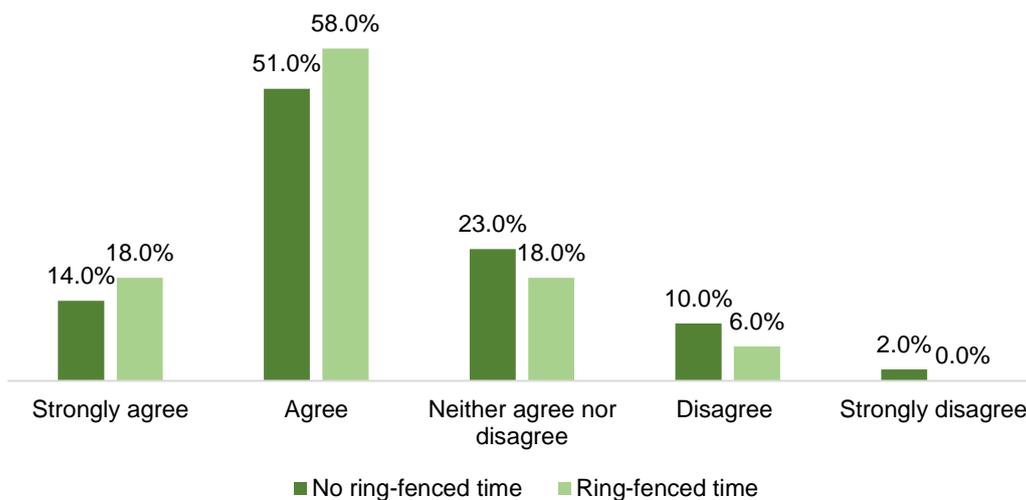
We asked guardians about whether or not they agreed with the statement *'I am able to meet the job description requirement to support others in the national Freedom to Speak Up Guardian network by providing peer-to-peer support and sharing learning'*. Twice the proportion of respondents with ring-fenced time strongly agreed (45.9%) with this statement compared to those with no ring-fenced time (22.6%).



**Figure 37.** Support others in the national Freedom to Speak Up Guardian network by providing peer-to-peer support and sharing learning

A similar pattern emerged for the job requirement to support and contribute to the national Freedom to Speak Up Guardian network, 43.4% of respondents with ring-fenced time answered strongly agree to this statement compared to 22.4% of respondents with no ring-fenced time.

Seventy-six per cent of respondents with ring-fenced time said they felt confident that they were meeting the needs of workers (agree or strongly agree to the statement), this was 11 percentage points higher than respondents with no ring-fenced time (65.0%).



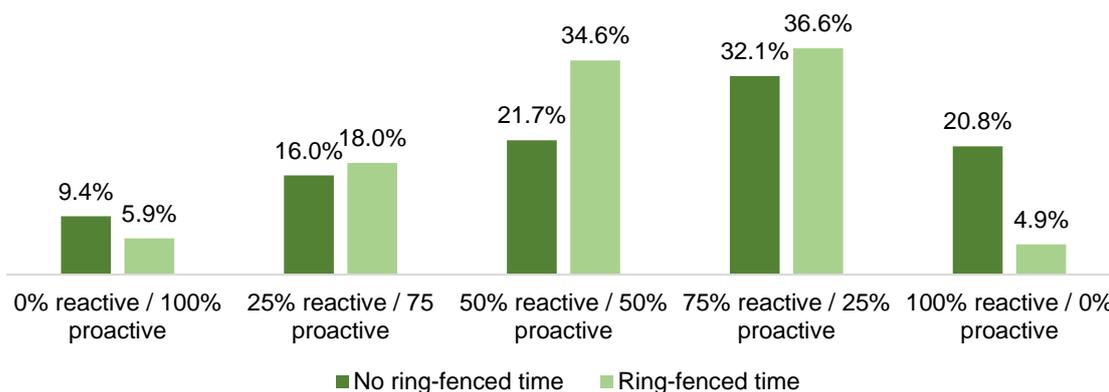
**Figure 38.** Confidence in meeting the needs of workers

We also asked respondents to what extent they had taken action to promote certain outcomes in the last 12 months. A higher proportion of respondents with ring-fenced answered that they were fully able to promote outcomes for seven of the eight outcomes compared to respondents with no ring-fenced time.

### Reactive and proactive working

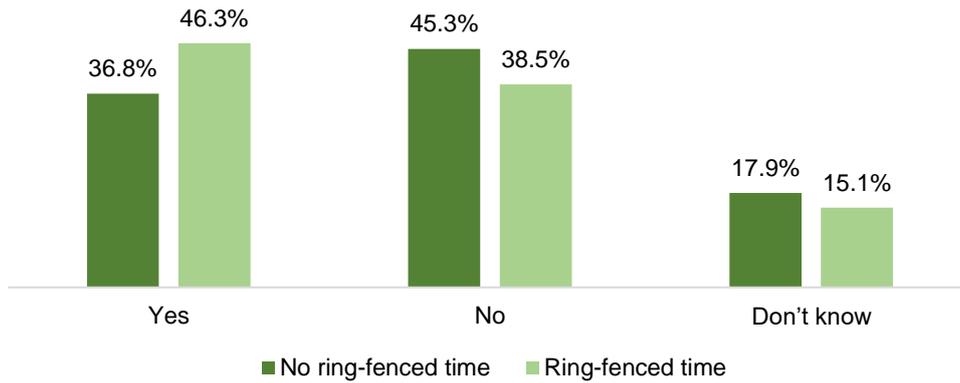
A fifth of respondents (20.8%) with no ring-fenced time said they spent 100% of their time in the guardian role on reactive elements of the role. This compares to 4.9% of those with ring-fenced time.

A greater proportion of respondents with ring-fenced time, 34.6%, said they split their time 50:50 compared to 21.7% of respondents with no ring-fenced time.



**Figure 39.** Reactive and proactive working

Respondents were asked if they thought their time split felt right to them. Thirty-seven per cent (36.8%) of those with no ring-fenced time said this proportion felt right compared to 46.3% of respondents with ring fenced time.



**Figure 40.** Does the proportion feel right?

## Value and support for Freedom to Speak Up Guardians

We asked guardians about how supported they felt by senior leaders, workers, managers and individuals they support.

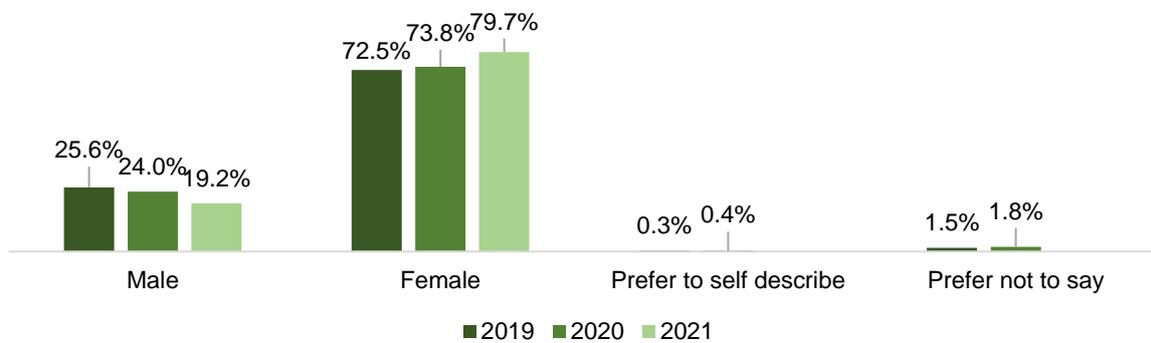
Respondents with ring-fenced time were more likely to agree or strongly agree that they felt valued by these groups than respondents with no ring-fenced time. There was a ten-percentage point difference in those who felt valued by senior leaders: 76.7% of respondents with no ring-fenced time compared to 86.8% of respondents with some ring-fenced time.

# Demographics of Freedom to Speak Up Guardians

We ask respondents to share demographic information to inform us of the make-up of the Freedom to Speak Up Guardian network.

## Gender

Eighty per cent (79.7%) of respondents were female.

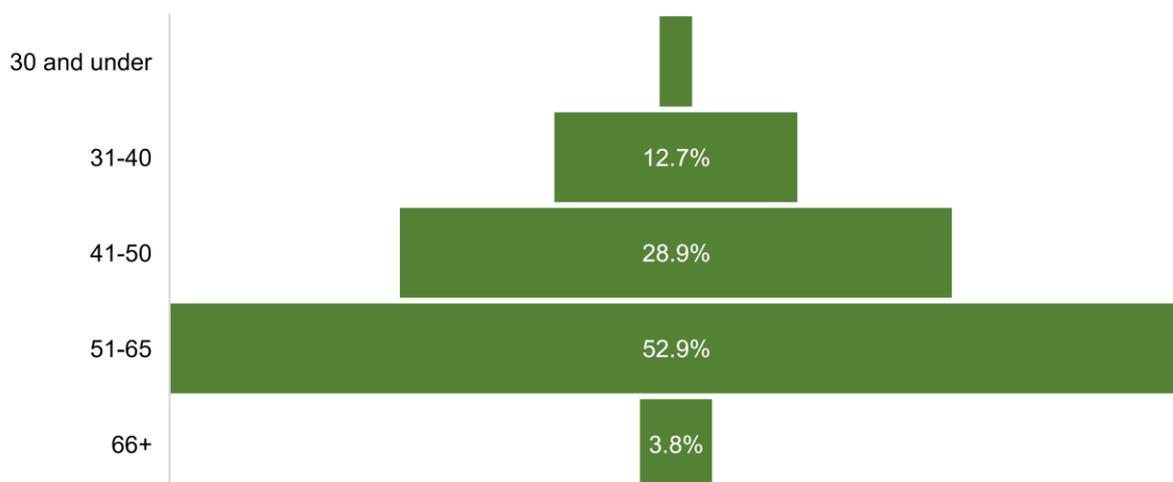


**Figure 41.** Gender of respondents

The numbers of respondents answering prefer to self-describe and prefer not to say were omitted in 2021 due to low numbers.

## Age

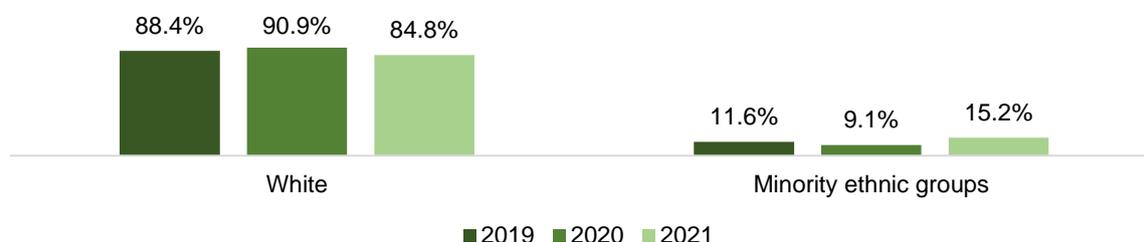
Over half of respondents (52.9%) were aged 51 to 65 years old.



**Figure 42.** Age of respondents

## Ethnic background

In 2021, 84.8% of respondents to the survey were white and 15.2% were from minority ethnic groups. This shows a six-percentage point increase in minority ethnic respondents from 2020.

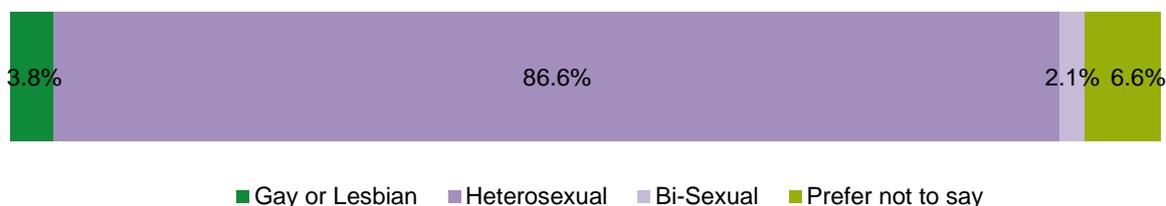


**Figure 43.** Ethnicity of respondents

The percentage of white respondents remains higher than the NHS workforce (77.9%), however it is lower than the percentage of working age population (2011 census) at 85.6%<sup>4</sup>.

## Sexual orientation

There were 86.6% of responding Freedom to Speak Up Guardians who identified as heterosexual, 3.8 percent were gay or lesbian and 2.1% were bi-sexual. A further 6.6 % preferred not to say. There were too few responses in the other category to be included in Figure 43.



**Figure 44.** Sexual orientation of respondents

## Long term conditions

A quarter (25.9%) of respondents said they had a long-term health condition (physical or mental) lasting or expected to last for 12 months or more, up 8.6 percentage points (17%, 2020).

Of those with a long-term condition:

- 53.3% said their organisation had made adequate adjustments for them
- 10.7% said adjustments had not been made (4.3%, 2020)
- 36.0% said they did not require adjustments

<sup>4</sup> <https://www.ethnicity-facts-figures.service.gov.uk/workforce-and-business/workforce-diversity/nhs-workforce/latest#by-ethnicity>

### **Caring responsibilities**

Two-fifths (40.2%) of respondents said they look after, or give any help or support to family members, friends, neighbours or others because of either: long term physical or mental ill health / disability, or problems related to old age (35.8%, 2020).