



National Guardian's Office Guidance

Starting Out, Stepping Down

Guidance for Freedom to Speak Up Guardians

June 2023

Introduction

This document brings together information and guidance for Freedom to Speak Up guardians when they start in their role, during periods of absence, and when they step down.

The role of Freedom to Speak Up Guardians and the National Guardian for the NHS were established in 2016 following recommendations from Sir Robert Francis' Freedom to Speak Up Inquiry. Freedom to Speak Up Guardians support workers to speak up when they feel that they are unable to do so by other routes. They ensure that people who speak up are thanked, the issues they raise are responded to and that the person speaking up receives feedback on the actions taken.

Freedom to Speak Up Guardians are appointed by the organisation they support and abide by the guidance issued by the National Guardian's Office. They work proactively to support their organisation to tackle barriers to speaking up.

The National Guardian's Office requires Freedom to Speak Up Guardians to undertake our programme of training on appointment and throughout their tenure. This will ensure people have a solid understanding of the expectations of this unique and far-reaching role at the start and as they progress in their leadership journey.

This document also provides guidance on what a Freedom to Speak Up Guardian needs to do for a planned change in guardian following stepping down; or how to prepare for an unforeseen absence from the role such as long-term sickness. This is to ensure that trust in the Freedom to Speak Up arrangements are maintained and that support for workers and confidentiality of cases remain unaffected.

All workers need to have confidence in the integrity of the Freedom to Speak Up arrangements. Confidentiality is a core principle for establishing trust in the speaking up process. To help workers understand how their information will be stored, a template opening letter has also been drafted for Freedom to Speak Up guardians to customise for their own use.

Contents

| | |
|---|----------|
| Starting out | 4 |
| Taking over from another Freedom to Speak Up Guardian | 4 |
| Taking leave:..... | 5 |
| Returning from long term absence..... | 5 |
| Stepping Down | 6 |
| Commonly asked questions and answers: | 7 |
| Annex: The Guardian Journey..... | 8 |

Acknowledgements

This guidance was developed following feedback from Freedom to Speak Up guardians about consistency of arrangements. The National Guardian's Office would like to express our gratitude to the guardians who kindly shared their learning and practice with us. That learning has informed this guidance and the accompanying materials.

We hope that you find them useful. If you have any questions or would like to provide feedback, please contact us at enquiries@nationalguardianoffice.org.uk

Starting out

- ☐ Contact the National Guardian's Office:
enquiries@nationalguardianoffice.org.uk to confirm your appointment.
- ☐ Complete [Foundation Training](#) and registration requirements. Please refer to the Guardian Journey in the Annex for an outline of the steps to take.
- ☐ Check arrangements are in place to communicate your start date and how people can contact you.
- ☐ Ensure you have appropriate access to worker communication channels, including email, telephone, and a place where you can meet with people in private.
- ☐ Set up initial meetings with key contacts including Freedom to Speak Up Senior Leaders, HR/People Leaders, worker diversity groups, communications team, IT and Information Governance colleagues and Freedom to Speak Up champions – if you have them.
- ☐ Arrange for a regular slot at induction meetings. You may want to use the NGO's template [presentation](#) or create one of your own.
- ☐ Understand the expectations of your role as a Guardian regarding recording and reporting cases internally to Senior Leaders and externally to the National Guardian's Office. Please click [here](#) for further information.
- ☐ Be confident about the system in place for recording case data. This needs to align with local records management, storage, and retention policies.
 - Work with the experts in your organisation such as the Data Controller to consider all purposes for which people's personal data may be accessed. Agree rules and controls about when this might happen, who will have access, and how it will be monitored that complies with [National Guardian's Office guidance](#) and ensures that people who speak up (and the people they speak up about) understand how their personal data is likely to be processed.
 - You may wish to use this [template opening letter](#) to explain how their information will be stored.

Taking over from another Freedom to Speak Up Guardian

You should arrange a handover meeting with the current Freedom to Speak Up Guardian to:

- Obtain useful information about key contacts, policies and processes.

- Discuss cases to be handed over to you where appropriate consent has been obtained.
- Understand what will happen to other open or closed cases, including arrangements for archiving to ensure no (inadvertent) breaches of confidentiality occur.
- Agree how the next quarter's Freedom to Speak Up data will be reported to the National Guardian's Office.
- Ensure messages about the change in the Freedom to Speak Up Guardian have been communicated to all workers.

Taking leave:

If your absence lasts 4 weeks or less, inform the people involved in cases you're currently dealing and remember to include information about alternative sources of support in your out of office or telephone divert messages.

If your absence lasts longer than 4 weeks, the Freedom to Speak Up Lead in your organisation should ensure workers have access to another Freedom to Speak Up Guardian, alongside established speaking up routes. They will not be able to access your confidential case records unless that has been agreed.

The Freedom to Speak Up Lead in your organisation must communicate your absence as soon as possible, with details of existing and alternative speaking up routes available.

Returning from long term absence

If you have been absent from your Freedom to Speak Up Guardian role for more than a year, you must complete the current Refresher Training module within one month of your return.

If you have been absent for more than two years, you must complete Foundation Training within one month of your return.

Stepping Down

When you step down from your Freedom to Speak Up Guardian role, it is important that you follow this check list below to ensure that trust in the Freedom to Speak Up arrangements are maintained and that workers confidentiality remains unaffected.

The National Guardian's Office would also welcome the opportunity to learn from your experience as a guardian, and would appreciate the opportunity to arrange an exit interview to gather feedback.

- ☐ Inform the people involved in open cases as soon as possible of your plans and obtain confirmation from people you are supporting about how they wish their cases to be managed.
- ☐ This could include consent for the case to be transferred to the new Freedom to Speak Up Guardian; a decision to progress the matter directly themselves; or a request to close and archive their file.
- ☐ Record the decision and follow up in writing.
- ☐ Notify the National Guardian's Office of your leaving date by emailing enquiries@nationalguardianoffice.org.uk. They will arrange an exit interview with a member of the National Guardian's Office team.
- ☐ Arrange a handover with your successor to facilitate a smooth transition and continuity in the Freedom to Speak Up service wherever possible.
- ☐ Do not destroy any records or take them with you when you leave. Handwritten notes should be uploaded to your electronic system as soon as practical and then disposed of in confidential waste.
- ☐ Update your [Guardian Profile](#) status from "Active" to "Step Down".

Commonly asked questions and answers:

Q. What if the organisation has a generic Freedom to Speak Up email address that several Freedom to Speak Up guardians can access? Does that mean that we are all responsible for all the cases which come in?

A. This is covered by [National Guardian's Office guidance](#) as follows:

Confidentiality should always be respected. Details of individual cases should not be shared outside the bounds of your agreement with the person you are supporting. As a general rule, without express consent, this includes not sharing details of individual cases among local networks of Freedom to Speak Up Guardians, nor with other parts of the organisation/s you support (and the organisation by which you are employed, if this is different), or with those outside your organisation.

Details of cases should only be accessible by the Freedom to Speak Up Guardian to whom someone chose to speak up. However, it may be that if someone has supplied consent, they can be supported by a Freedom to Speak Up Guardian colleague in your absence. This must be managed on a case-by-case basis to avoid assumptions that this will apply to all cases. The National Guardian's Office needs one data return per organisation per quarter, so it is vital that you agree a way that preserves confidentiality of the data shared with whoever takes the lead on submitting data for your organisation.

Q. What do I do with my handwritten notes? Someone told me to destroy them after the case is closed or I should take them with me when I leave.

A. Handwritten notes should be uploaded to your electronic system as soon as practicable and then disposed of in confidential waste. Your organisation is the data controller for the purposes of this information which should be retained in accordance with local retention policies, subject always to [National Guardian's Office Guidance](#). You should not remove records when you leave an organisation.

Annex: The Guardian Journey

Please note: some links are to the password protected area for guardians only on the website. You will be able to access these once you have registered on the NGO portal.

