



**National
Guardian**
Freedom to Speak Up

Making Speaking Up business as usual

National Guardian's Office
Annual Report / April 2022 – March 2023

CP 959





National Guardian's Office

Annual Report April 2022 – March 2023

Presented to Parliament by the Parliamentary Under Secretary of State for Mental Health and Women's Health Strategy by Command of His Majesty

November 2023

CP 959



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ISBN: 978-1-5286-4515-7

E-Number: E03005055 11/23

Printed on paper containing 40% recycled fibre content minimum.

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty's Stationery Office.



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About Freedom to Speak Up

What is Freedom to Speak Up?

In healthcare, Freedom to Speak Up is about feeling able to speak up about anything that gets in the way of doing a great job. That could be a concern about patient safety, a worry about behaviours or attitudes at work, or an idea which could improve processes or make things even better.

About us

The National Guardian's Office

The National Guardian's Office and the role of the Freedom to Speak Up Guardian were created in response to recommendations made in Sir Robert Francis QC's report "The Freedom to Speak Up" (2015).

These recommendations were made as Sir Robert found that NHS culture did not always encourage or support workers to speak up, and that patients and workers suffered as a result.

This Annual Report is the sixth from the National Guardian's Office, which is required to be laid before Parliament as a commitment made by the Government's response to the Gosport Independent Panel: "To further increase transparency, accountability and to promote culture change the Government has requested the National Guardian to produce an annual report to be laid before Parliament."¹

What we do

The National Guardian's Office leads, trains and supports a network of Freedom to Speak Up guardians in England. There are over 1,000 guardians in NHS and independent sector organisations, hospices and national bodies who provide an additional way for workers to speak up when they feel that they are unable to in other ways. They also support their organisations to help address the barriers to speaking up.

The Office also provides challenge and learning to the healthcare system as a whole as part of its remit. We conduct Speak Up reviews to identify learning and support improvement of the speaking up culture of the healthcare sector.

Our vision: that speaking up is business as usual in the healthcare sector in England.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/758062/government-response-to-gosport-independent-panel-report.pdf

Ministerial Foreword

Embracing Freedom to Speak Up by listening to and acting on the suggestions and concerns of workers is critical for learning and improvement. The events surrounding the terrible crimes of Lucy Letby are an important reminder of how vital it is for organisations to have a culture in which workers feel safe to speak up about anything that gets in the way of delivering safe and high-quality care. Managers and senior leaders must be welcoming of speaking up and be ready to listen and act on what they hear.

It is clear from the National Guardian's annual report, which I am placing before Parliament, that Freedom to Speak Up Guardians continue to be a valuable additional route for NHS workers through which workers can speak up if they feel they cannot do so in other ways. There are now over 1,000 Freedom to Speak Up Guardians available, not just in NHS trusts, but in primary medical services, the independent sector, hospices and national bodies. I am grateful to the National Guardian, Dr Jayne Chidgey-Clark, for the leadership and support she provides for this important network.

Freedom to Speak Up Guardians have supported over 25,000 cases this year, the highest number recorded. This shows how valued and trusted they are by the workforce.

I would like to see this value replicated by their leadership as well. The independent review, commissioned by DHSC, into the leadership of health and social care organisations, led by former Vice Chief of the Defence Staff General Sir Gordon Messenger and supported by Dame Linda Pollard, Chair of Leeds Teaching Hospital Trust, found there to be a lack of consistency in leadership support for speaking up.



Maria Caulfield MP

Parliamentary Under Secretary of State for Mental Health and Women's Health Strategy

The Review noted: "In the NHS, we sensed a lack of psychological safety to speak up and listen, despite the excellent progress made since the Francis Report. We would observe that the Freedom to Speak Up initiative can be narrowly perceived through the lens of whistleblowing rather than also organisational improvement, and we would encourage a broader perspective."

The National Guardian's Speak Up Review of ambulance trusts made similar findings. I am pleased to support the recommendations, and to update that the recommended independent review of broader cultural matters in ambulance trusts is now underway.

Workers are our greatest asset – and they hold the key to provide us with the information we need to make the NHS the best place to work. The long-term workforce plan, developed by the NHS and backed by Government, places a renewed focus on retention. Freedom to Speak Up must be at the heart of our efforts to improve the culture, leadership and wellbeing of our healthcare workers.

Foreword

Dr Jayne Chidgey-Clark, National Guardian

This Annual Report is an opportunity for me to reflect on a year of challenges and successes.

It is an honour to lead the network of Freedom to Speak Up guardians who do so much to support workers within the healthcare sector to speak up, and to encourage their organisations to listen and follow up.

The network has grown to over 1,000 guardians supporting organisations across healthcare, from trusts, to Integrated Care Boards, primary medical services, hospices, independent sector and national bodies. This year, I have welcomed the opportunity to meet many of them face to face, whether at site visits, network meetings or at our annual Freedom to Speak Up conference for guardians.

It is ten years since Sir Robert Francis published his report into the failings at Mid Staffordshire NHS Trust, which lit the touch paper for cultural change and led to the Freedom to Speak Up Review and the recommendation of my role and that of Freedom to Speak Up guardians. This year, we bade farewell to Sir Robert as he stood down as a founding member of our Accountability and Liaison Board.

We celebrated Sir Robert's incredible legacy with a special edition of my Speak Up, Listen Up, Follow Up podcast² where he reflected on the impact of Freedom to Speak Up and his thoughts on priorities for the future. He spoke of the need for those who speak up to be "respected, supported and celebrated". Within this report you will find examples of the good practice which is being shared to help change the conversation of what it means to speak up in healthcare.

This year, Freedom to Speak Up guardians supported more workers than ever before. Over 25,000 cases were raised to them; that is 25,000 opportunities for leaders to learn what is getting in the way of people doing a great job; 25,000 opportunities for improvement. In a system which is stretched and under pressure, leaders need to take heed. Listening could make the difference to patient safety, worker wellbeing, staff retention, organisational risk and reputation.

The importance of Freedom to Speak Up

This year we have had stark reminders of why all efforts to improve the Speak Up culture in health, including the Freedom to Speak Up Guardian route, are so essential for patient safety.

It is chilling to think of the harm that might have been prevented and/or lives which might have been saved if colleagues felt able to raise concerns, or had been listened to and appropriate action taken swiftly when they did.

Reports from the Lucy Letby case, Donna Ockenden³ and Bill Kirkup⁴, and inquiries into University Hospitals Birmingham and others have shown why Freedom to Speak Up has never been more important.

²<https://nationalguardian.org.uk/2022/06/09/listen-to-the-new-ngo-podcast/>

³<https://www.ockendenmaternityreview.org.uk/>

⁴<https://www.gov.uk/government/publications/maternity-and-neonatal-services-in-east-kent-reading-the-signals-report>



Dr Jayne Chidgey-Clark
National Guardian for the NHS

The silence of missing voices

A quote which has been much on my mind this year is from Megan Reitz from Ashridge Business School, who spoke at this year's Freedom to Speak Up Guardian Conference: "The silence of missing voices costs careers, relationships and lives"⁵. Because for all the people who feel they can speak up, whether to their line manager, patient safety team, or their Freedom to Speak Up Guardian, I am concerned for those who still feel they cannot – that speaking up is not worth the risk.

We have begun work to understand and help remove barriers to speaking up for these people, for example, rolling out training for Freedom to Speak Up guardians working with the NHS Workforce Race Equality Standard team at NHS England.

The Freedom to Speak Up sub-score has declined from 6.5 in 2021 to 6.4 in this year's NHS Staff Survey. This fall equates to a 1.5% change. Given the size of the survey (over 600,000 workers) this equates to a declining perception of over 9,000 workers in how safe and supported they feel to speak up about anything which gets in the way of them doing their job⁶. High profile cases this year contribute to this silencing effect. These cases where people have experienced detriment for speaking up have the potential to undo much of the progress being made.

The wellbeing of workers must be paramount in order to maintain patient safety, which the recently published workforce plan acknowledges⁷.



25,382 cases raised with Freedom to Speak Up guardians

(1 April 2022 to 31 March 2023).

(25% increase on the previous year).

⁵Megan Reitz & John Higgins (2019) Speak Up: say what needs to be said and hear what needs to be heard

⁶<https://nationalguardian.org.uk/2023/06/08/fear-and-futility/>

⁷<https://www.england.nhs.uk/publication/nhs-long-term-workforce-plan/>



Foreword – Continued.

Working in partnership

This year, we worked with NHS England to publish the new and updated Freedom to Speak Up policy and guidance for the NHS and leaders of organisations providing NHS services. This is an opportunity for leaders to look afresh at their arrangements to assure themselves that their workers have supportive routes available to them to speak up, and that, as leaders, they are listening and acting. I am grateful to the leaders who are working hard to improve their organisation's culture in stretched and stressful circumstances. If we can get the culture right, benefits will follow, including innovation for improvement, retaining workers and making the NHS a great place to work.

For these benefits of Freedom to Speak Up to be realised, we need a whole system approach. Supportive regulatory frameworks can be a facilitator for this work. Our Speak Up review into ambulance trusts⁸ identified the need for the Care Quality Commission, England's health and social care regulator, to treat workers' voices on a par with patients'. I have welcomed the opportunity to work with the Care Quality Commission on their new regulatory framework and improving the effectiveness of their assessments of the Speak Up culture in the organisations they regulate and inspect. This is especially important as regulators are the place where concerned workers go when they are desperate for action to be taken. We look to build on this work further with the Speak Up Partnership Group, which brings together regulators to facilitate a consistent approach to listening up.

Speaking Up in an evolving healthcare landscape

Looking to the future, further integration brings with it the opportunity to embed Freedom to Speak Up more fully into integrated care and primary medical services to give everyone a voice. We have seen that this culture change cannot be successful in silos – it requires a joined-up approach. As Rt Hon Patricia Hewitt said in her independent review of integrated care systems: “while structures matter, culture, leadership and behaviours matter far more”⁹.

This also includes our colleagues in social care. I was disappointed that following an earlier commitment by the Government, Freedom to Speak Up in Adult Social Care is not being taken forward at this stage¹⁰.

This report shares some of our learning. Freedom to Speak Up is more than an ‘initiative’, it is a social movement. Our Pan-Sector network which is made up of an ever-growing variety of organisations, illustrates that all sectors can benefit from the gift which speaking up brings, and in healthcare we have much to learn from others such as the aviation and financial industries.

All leaders must make it their mission to instil confidence in their workers to speak up. As Sir Robert said, to “feel pride, not fear” when workers want to speak up – whether that is to voice a concern, or an idea for improvement. Confidence to speak up comes from knowing that when you speak up, what you raise will be actioned appropriately. If speaking up feels futile, workers may remain silent, and we have seen too often that silence can be dangerous.

⁸<https://nationalguardian.org.uk/case-review/speak-up-review-of-ambulance-trusts-in-england/>

⁹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1148568/the-hewitt-review.pdf

¹⁰<https://www.gov.uk/government/publications/adult-social-care-system-reform-next-steps-to-put-people-at-the-heart-of-care/next-steps-to-put-people-at-the-heart-of-care>

Chair

Suzanne McCarthy, Accountability and Liaison Board

I was delighted to take up my role as the first Independent Chair of the National Guardian's Office Accountability and Liaison Board in May 2023.

Effective governance is essential to ensuring the National Guardian's Office effectively supports its staff and Freedom to Speak Up guardians allowing both to continue to do excellent work.

The Accountability and Liaison Board seeks assurance and gives strategic advice to the National Guardian to promote her mission to make speaking up business as usual throughout healthcare. Members of the Board are representatives of the funding bodies of the National Guardian's Office, and it is my role as Independent Chair, unaffiliated to any of these bodies, to provide leadership to the Board, and bring together the views of each of its members.

The Board holds the National Guardian to account, but it is also a two-way street. As Independent Chair I can act as the liaison with the Board working constructively with our funding bodies.

I am very grateful to everyone for the immersive induction I have had into the role; meeting both the small and committed National Guardian's Office team and Freedom to Speak Up Guardian Network Chairs, and getting to know Jayne, the National Guardian.

My induction included time spent with a Freedom to Speak Up Guardian in a busy London trust, enabling me to gain insight into the reality of being a Freedom to Speak Up Guardian and understand how crucial this role is for patients and workers.



Suzanne McCarthy

Independent Chair of the National Guardian's Office Accountability and Liaison Board

I see Freedom to Speak Up as an essential tool for ensuring a positive organisational culture. The same is true for all who provide over-sight of their organisations – whether chairs, non-executive directors, trustees, partners, governors, or lay-members. Freedom to Speak Up can help provide the information needed to ensure our organisations are well run and our people are well supported.

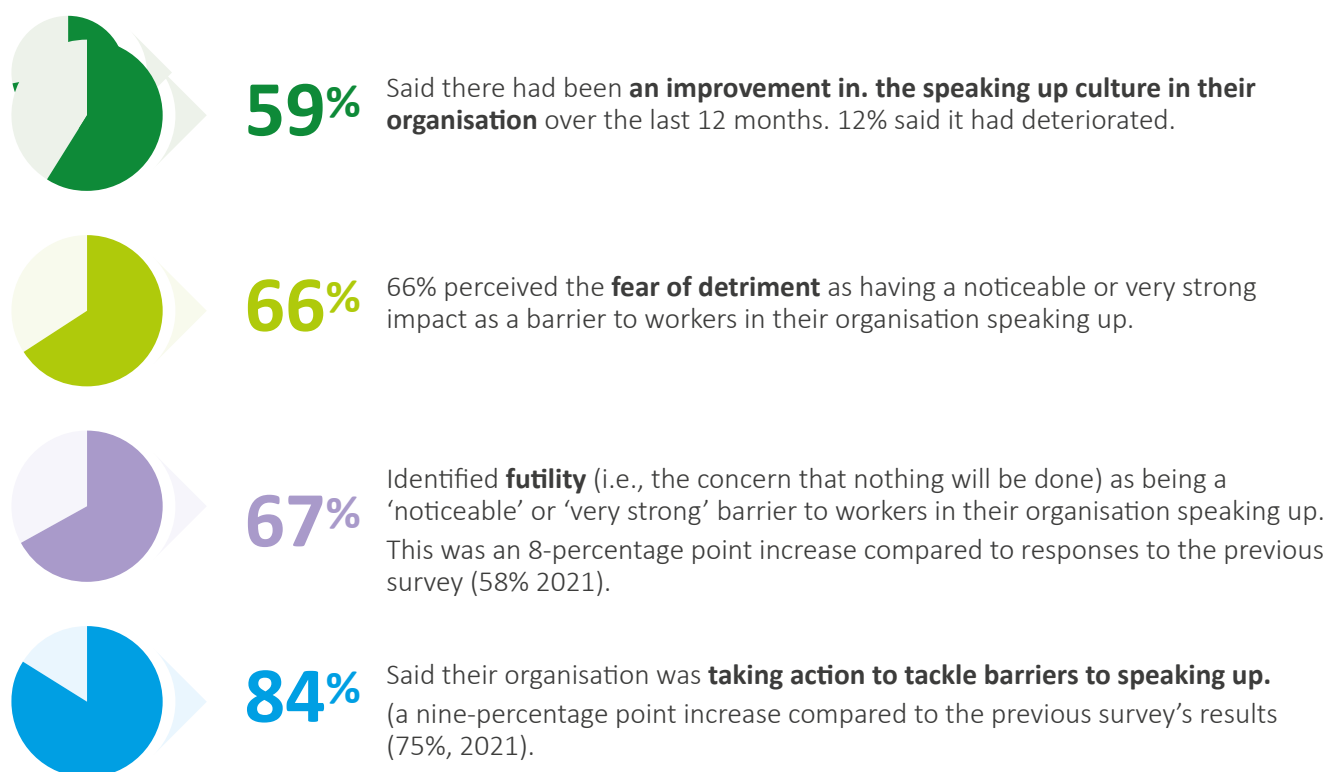
I am looking forward to working with all the National Guardian's Office's stakeholders. Together we can achieve a Speak Up culture that is supported at all levels within the healthcare sector and possibly even beyond.

Overcoming fear and futility

Do workers in the NHS feel safe to speak up?



Perceptions of Freedom to Speak Up guardians



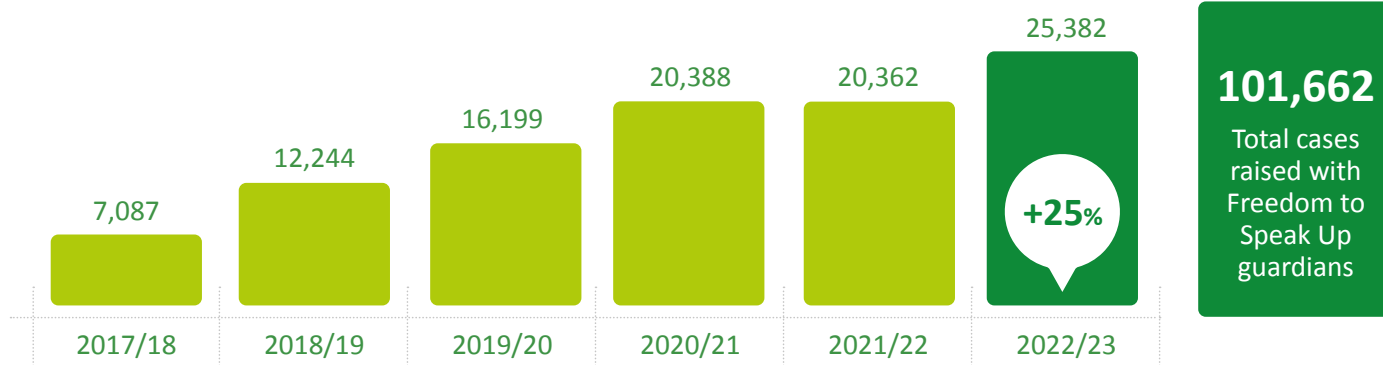
¹¹We encourage organisations not included in the NHS Staff Survey to consider incorporating the questions asking whether people feel safe to speak up about anything, and confident that their concerns will be addressed into their own staff surveys.



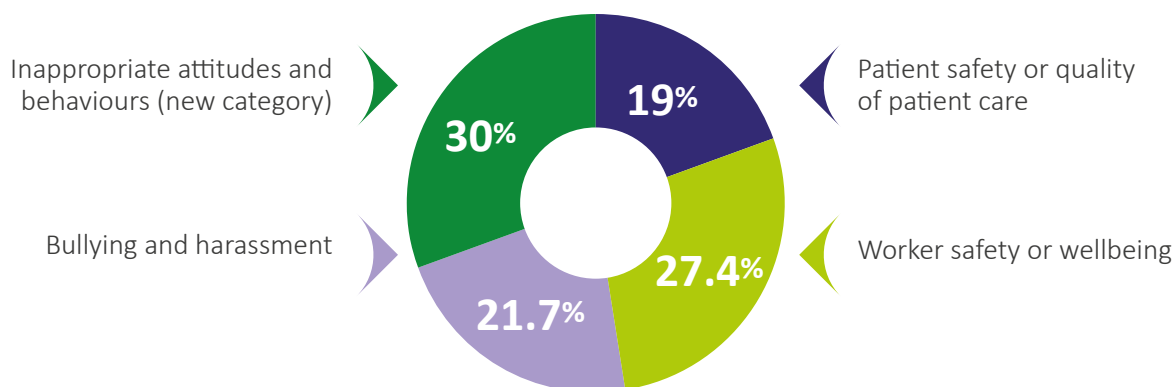
Speaking up to Freedom to Speak Up guardians

25,382 cases raised with Freedom to Speak Up guardians.

(1 April 2022 to 31 March 2023 / 25% increase on the previous year).



What are people speaking up about to guardians?



Anonymous cases¹²

9.3%

This continues the downward trajectory from 2019, when 17.7% of cases were raised anonymously.

Detriment

3.9%

Detriment for speaking up¹³ was indicated in 3.9% of cases. Although there has been a drop in percentage given the rise in numbers, this equates to 1,000 cases.

Would you speak up again?

82.8%

Over four-fifths of those who gave feedback to their Freedom to Speak Up Guardian said they would speak up again.

¹²Anonymous cases are where the person speaking up is unwilling or feels unable to reveal their identity to you. Their identity is unknown. Where someone speaks up confidentially, they reveal their identity to someone on the condition that it will not be disclosed further without their consent (unless legally required to do so).

¹³Detriment refers to disadvantageous and/or demeaning treatment as a result of speaking up

Overview of the year

1 April 2022 – 31 March 2023

Spring 2022

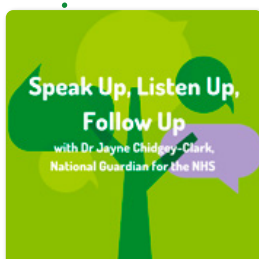
- › Launch of Follow Up elearning for leaders
- › Launch of Speak Up, Listen Up, Follow Up – the National Guardian’s podcast
- › Publication of Freedom to Speak Up Guardian survey report on supporting the wellbeing of guardians
- › Publication of revised Freedom to Speak Up national policy and updated Freedom to Speak Up guidance and reflection and planning tool
- › Roll out of new Foundation Training for new Freedom to Speak Up guardians and refresher training for established guardians
- › Review of our governance processes, updated documents and procedures



I'm up to date with my NGO refresher training 2022/23

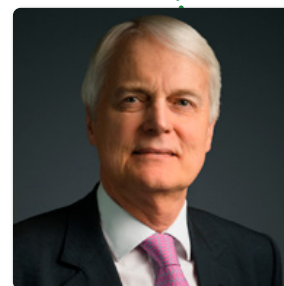
Summer 2022

- › Publication of Annual Data summary – Freedom to Speak Up guardians handled 20,362 cases in 2021/22
- › First mentor conversations for new guardians
- › Publication of employment tribunal findings in the case of Dr Kumar v the Care Quality Commission



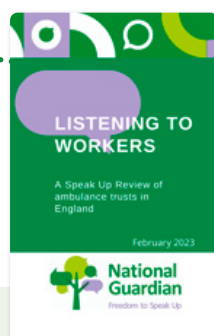
Autumn 2022

- › Annual Speak Up Month
- › Health Service Journal Awards for Freedom to Speak Up organisation of the year
- › Farewell to Sir Robert Francis
- › Reading the signals: Maternity and neonatal services in East Kent independent investigation report by Dr Bill Kirkup published



Winter 2022/2023


- › Speak Up review of ambulance trusts
- › Reviews into the culture at University Hospitals Birmingham NHS Trust begun
- › National Guardian's Office Freedom to Speak Up Conference
- › New 3-year Memorandum of Understanding agreed. This sets out funding and governance arrangements with our funding bodies.



Delivery of our Strategic Framework

Our mission to make speaking up business as usual is ambitious. Our Strategic Framework sets out the intention of the National Guardian's Office to obtain greater assurance about speaking up cultures and the quality and consistency of how the Freedom to Speak Up Guardian role is implemented.





We themed our strategic framework into four core pillars of support: **workers; Freedom to Speak Up guardians; leadership;** and the **healthcare system**. This Annual Report shares the 12 outcomes we have sought to achieve in our work programme in 2022/23.

Workers

- › There will be a more consistent understanding of speaking up and how it can support learning and improvement through consistent championing of speaking up messages
- › The voice of workers will be reflected in speaking up reviews to promote learning and improvement across the system
- › Protection of those who speak up will be furthered through engaging with partners
- › Worker's knowledge of, and ability to, speak up will be improved by providing training tools for workers and leaders

Freedom to Speak Up Guardians

- › The training, guidance and support we provide Freedom to Speak Up guardians will be improved by the regular review of this material
- › There will be greater assurance of the quality and consistency in the Freedom to Speak Up Guardian role through enhancements to the National Guardian's Office's registration and training processes
- › There will be clear expectations for the Freedom to Speak Up Guardian role from the development of standards and improved quality assurance mechanisms

Healthcare System

- › Universal principles for speaking up will be promoted
- › Speaking up culture will be more easily understood through the establishment of a consistent set of metrics at the organisational, system, and national level
- › A more consistent and supportive response when workers speak up will be developed through bringing national bodies together to develop consistent, coherent and complementary processes

Leadership

- › Leaders will be more able to improve their speaking up culture as a result of the supportive guidance and training tools we offer
- › Good practice will be identified and informed through the improved use of data and intelligence

Workers



Strategic aim: to champion and support workers to speak up

Overcoming fear and futility

We want everyone who works in healthcare to feel safe and supported when they speak up. Yet too many workers still do not feel they can speak up about anything which gets in the way of them doing their job.

For these people, the potential risks of speaking up do not outweigh the benefits. They may feel nothing changes when they do speak up or they fear experiencing negative consequences if they do.

We are working in partnership across the healthcare system to overcome these barriers of fear and futility to make speaking up business as usual.

One of our key aims is to ensure all workers have knowledge of, and ability to, speak up, with training and tools for workers and leaders. We also publish 100 Voices stories on our website where people have spoken up, and the positive change which has happened as a result.

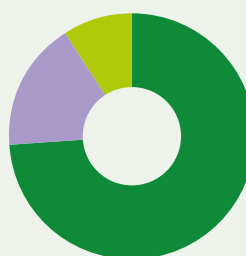
Supporting workers with knowledge of how to speak up

The Freedom to Speak Up eLearning package which we developed with Health Education England has now been rolled out across the country, with many organisations making the training mandatory.

This eLearning is divided into three modules – ‘Speak Up, Listen Up, Follow Up’. It helps learners understand the vital role they can play in a healthy speaking up culture which protects patient safety and enhances worker experience.

13,927

Workers completed the speak up module on the elearning to health platform, with many more completing it within their organisations.



Speak up 13,927 (74%)

Listen up 3,085 (17%)

Follow up 1,749 (9%)

Training completions on the elearning for health platform.



1,719

People made Speak Up Pledges on our website following the training.



"To make time to actively listen to anyone who tells me they need to talk; to thank them, and to take action to help create a safe, high trust environment for everybody."

Director of People, Engagement & Performance



"To ensure that I give the opportunity to staff to speak up as part of their regular 1:1 supervision sessions."

Physiotherapist



"I pledge to be a listening ear, source of direction and advocate those who need it. I will say "thank you" and not make the person feel stupid or belittled when they wish to tell me."

Staff Nurse



"I now feel confident enough to speak up if the need arises without hesitation."

Medical Laboratory Assistant



"I will always speak up, to make not only the workplace but the world a better place. I will support my peers in speaking up and help in any way that I can, we are stronger together and can really make change happen!"

Team Administrator



"My pledge is to always listen for what is being and not being said from colleagues and to always been caring and supportive."

OD Facilitator



"I will aim to overcome barriers and find the correct person to talk to if I have any concerns."

Physiotherapist



"My pledge is that I will not shrink from making my manager aware of unfair treatment of colleagues and service users; nor from unhealthy and unhygienic handling of patients' feeding facilities."

Healthcare Assistant



"I pledge to speak up not just for myself for everybody who needs to be heard. I will use my voice to encourage and motivate everyone to speak and reach out. It is okay to speak out and there are many to help and support."

Nurse



"To be accessible to all staff where possible, listen to their views and use these views as potential intelligence for improvement.

To let staff know what has happened as a result of sharing their views with me."

Non-Executive Director

Workers – Continued.

100 Voices story: Incivility in the workplace

A worker raised concerns with Sylvia Gomes, the Freedom to Speak Up Guardian at East and North Hertfordshire NHS Trust, describing incivility they experienced during procedures. These were specialised procedures carried out by highly skilled interventionists with the support of a multidisciplinary team.

Sylvia met with the manager and team leaders to better understand the experiences of the team as a whole. It became clear that the multidisciplinary team frequently experienced incivility during procedures. Examples included sarcastic remarks, rudeness, sharp and overly critical comments, rolling of eyes, tutting. This behaviour was not consistent and there were many occasions when the same professionals would be kind and professional.

To assess the level of incivility being experienced, Sylvia invited all the multidisciplinary team members, including the interventionists, to complete an anonymous survey on workplace incivility.

This survey results showed that 70% of respondents had either experienced or witnessed incivility. Team members shared that they felt anxious and reported poor psychological safety within the team. This highlighted that incivility was increasing patient safety risk as it increased fears of speaking up. This was escalated to the Trust patient safety team.

The survey response was also shared with the interventionists, and a senior member of the patient safety team met with them and shared the Trust's kindness and civility matters video (<https://www.youtube.com/watch?v=o6apzHxts-Y>), facilitating a reflective discussion. They agreed a change in behaviour, to a more civil and kind approach.

While there was some improvement, this had limited impact and behaviour was not consistently in line with Trust values to Include, Respect and Improve. This absence of meaningful change resulted in Sylvia escalating the concerns about incivility to the Trust executives responsible for patient safety including the Chief Nurse, Medical Director and CEO.



Sylvia Gomes

Freedom to Speak Up Guardian,
East and North Hertfordshire
NHS Trust

The Responsible Officer informed the interventionists of expected standards of behaviour and the likely impact of not meeting these standards. This message from all levels of leadership within the Trust, including executives, that incivility is unacceptable played a crucial role in changing behaviours which resulted in meaningful change that continues to be sustained.

Teams that experience incivility need additional support to rebuild psychological safety over several months.

As the interventionists' behaviour changed, the team leaders worked on improving the multidisciplinary team members' confidence by giving them opportunities to lead pre-procedure briefings with support. The team leader role for each room was implemented within the allied health care professional team which improved team working and gave team members leadership and management skills, increasing their confidence to challenge. Team members reported improvement in work environment and reduction in anxiety.

Sylvia said: "Whilst the incivility reported was a mild form of poor behaviour, because of its impact on patient safety and worker wellbeing, it could not be ignored.

"Workers who experience or witnessed incivility are less likely to Speak Up. It is therefore important when a concern regarding incivility is raised, it is taken seriously and explored further as it is likely to be affecting more than one individual.

"When dealing with complex issues, it is vital that the right people with authority and influence are involved as this drives action for change."



Raising awareness

We aim to ensure there is a consistent understanding of speaking up and how it can support learning and improvement, through raising awareness of the importance of speaking up and the benefits that Freedom to Speak Up can bring.

The National Guardian is an independent voice, championing workers to speak up. We raise awareness and challenge leadership and the healthcare system by engaging with national bodies, speaking to the media and appearing as a guest speaker at events and conferences.

1,186

Podcast listens



This year we launched a podcast channel to bring Freedom to Speak Up to a new audience. The National Guardian talked to leaders from across health and care about what Freedom to Speak Up means to them. We created 11 episodes with 194 minutes of new content.

111,721

Find my guardian page views



Our website provides information for workers, resources for Freedom to Speak Up guardians and resources and data for leaders and system partners.

Workers can use the website to find their local Freedom to Speak Up Guardian. This year the find my guardian tool has been used over 100 thousand times.



Speak Up Month

Our annual Speak Up Month, held in October, is an opportunity for Freedom to Speak Up guardians to raise awareness locally and for the National Guardian's Office to do so nationally.

The theme for our fifth Speak Up Month in 2022 was "Freedom to Speak Up for Everyone". Each week we highlighted key themes and the impact which speaking up can bring for patient safety, inclusion and worker wellbeing.

We shared blogs, videos and four podcasts exploring the themes, and our social media channels turned green as people across the sector took part in Wear Green Wednesdays to show their visible support of Freedom to Speak Up.

Workers – Continued.



Listening to workers – Speak Up Review of Ambulance Trusts

The voices of workers are central to our Speak Up Reviews, where we seek to identify learning, recognise innovation and support improvement in the speak up culture of the healthcare sector.

Stories about poor culture in ambulance trusts have been well documented in the media. We proposed this review in response to consistent findings that the speaking up culture in NHS ambulance trusts appeared to be more challenged compared to other NHS trust types.

During our review, we heard from workers, ex-workers, managers and senior leaders that fear of consequence was a main barrier to speaking up.

Culture of silence

We heard from workers that the culture in ambulance trusts was having a negative impact on their ability to speak up. We heard about experiences of bullying, harassment and discrimination and a culture of silence where workers would often not speak up, and concerns were often unheard. When people told us about their experiences of speaking up, we heard a range of ways that people had suffered detriment as a result.

We made four recommendations in this Speak Up Review and chair the implementation group made up of colleagues from Department of Health and Social Care, NHS England, Care Quality Commission and Association of Ambulance Chief Executives to ensure follow through with recommendations. One of our recommendations was for an independent cultural review to look at broader cultural matters in ambulance trusts, with Ministerial oversight. We are pleased that this review, led by NHS England, is now underway. The National Guardian is conducting board development sessions for each ambulance trust in England and we look forward to supporting ambulance trusts in their learning and improvement journey.



“People are too scared to say, ‘that’s not right’ because of potential consequences.”
– Worker

Case Study: East of England Ambulance Service

Janice Scott joined the East of England Ambulance Service trust as the Lead Guardian in 2020, at a time when the executive leadership team had acknowledged there were deep-rooted issues within the service, following a CQC inspection. The number of concerns raised increased by approximately 90% within the first reporting quarter and she spent her first year actively listening and speaking to staff about their experiences.

Within three years of the full time Guardian starting, the trust had one of the most overall improved scores for the speaking up questions in the NHS Staff survey.

“This is a result of commitment from staff, volunteers and the executive leadership team” said Janice. “When you are faced with a culture of distrust and fear based on workers’ previous negative experiences of speaking up and an environment where bullying and harassment was the norm, you have to go back to the basic principles of engagement. At EEA, this meant committing to physically visiting as many of the 120 sites and stations to talk to staff and volunteers, whether that be the early hours in the morning, during lunch breaks or late at night. It meant meeting with managers to understand their frustrations and successes. More importantly, it meant holding honest, realistic and sometimes painful conversations with workers and managers.”

This work has been led by the Executive and Non-Executive Freedom to Speak Up leads who, together with the rest of the Board and the executive, have taken ownership of the cultural problems within EEA. Their focus was on the potential irreparable negative consequences for workers of not tackling the challenges head-on.

The Lead Guardian feels encouraged and supported by the leadership team and has regular meetings to discuss themes and barriers to resolving concerns. This work has highlighted issues such as timely employee relations case handling and lengthy suspension times. Ensuring that core HR systems and processes worked effectively helped to build staff confidence.



Janice Scott
Lead Freedom to
Speak Up Guardian

Janice also presents a quarterly board report which shares the speak up data along with the current themes and patterns. She recently delivered a board development session on workers’ fear of suffering detriment for speaking up, which led to innovative solutions which are currently being implemented.

The trust also developed a “Raising Concerns Forum” which collates and triangulates data from Freedom to Speak Up, employee relation cases, sickness and leavers data to identify themes, emerging issues, hot spots and potentially high-risk issues to patient and/or staff safety.

A number of the recommendations from the National Guardian’s Office Speak Up Review of ambulance trusts¹⁴, have already been implemented in the trust. This included making the three speak up training modules mandatory, the recruitment of 3 full time Guardians through open, fair and transparent processes and the recruitment of ambassadors to further extend the reach of Freedom to Speak Up.

Tom Abell, CEO and Executive Lead for Freedom to Speak Up said: “This has fostered a sense of unity within the trust, where staff feel able to voice their ideas, challenges, and concerns, without fear of negative consequences or overall inaction. We recognise and celebrate our achievements but know we still have a way to go, particularly with reducing the fear of detriment when speaking up.”

As a result of this improved culture, the staff attrition rate has turned around, so that between 2021 and 2022 there was more than a 30% drop in staff leaving the trust in the same year they joined.

¹⁴“Listening to Workers” review of speaking up in an ambulance service

Freedom to Speak Up Guardians



Strategic aim: To enhance the Freedom to Speak Up Guardian role



1,006 Total number of guardians

Trusts	396
Independent Provider	258
Hospice	93
Primary Medical Services	93
National Body	78
ICS/ICB	39
Other	42

An evolving network

The Freedom to Speak Up Guardian role is complex, and the landscape in which they operate is constantly evolving. The network has grown from just 200 guardians in NHS Trusts in 2017 to over 1,000 guardians supporting a wide range of organisations.

This year, Freedom to Speak Up guardians handled a record number of cases which highlights how trusted guardians are as a valuable additional route to speaking up. It is clear that the role is valued by workers- over four-fifths (82.8%) of those who gave feedback to their Freedom to Speak Up Guardian said they would speak up again. It is essential that all leaders recognise its importance, and that all provide sufficient time and resources for their guardians to meet the demand of this unique and far-reaching role.

Our survey of Freedom to Speak Up guardians revealed the impact which insufficient protected time has, both on the execution of the role and the Freedom to Speak Up culture, as well as on guardian wellbeing.

Just over half of guardians who responded to our survey felt they had enough time to carry out their Freedom to Speak Up Guardian role. In addition to supporting workers who speak up, guardians also need time for the proactive part of their role, identifying and tackling barriers to speaking up. Yet half of guardians spent the majority of their time responding to workers. This is perhaps a reflection on the increased number of cases being raised to them and reinforces the need for leaders to review the time and resources for the role to ensure guardians can undertake its proactive elements as well as reactive. Guardians told us this is having an impact on their wellbeing, and they feel that they are not always meeting the needs of the workforce.

Some of the cases which guardians hear are complex and emotional; people may be feeling angry and distressed. Sometimes there are complex mental health issues involved, feelings of suicide, experiences of sexual harassment. Clinical supervision and adequate support is essential.



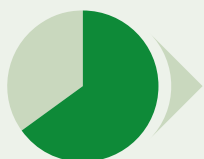
54%

Have enough time to do their guardian role



48%

Majority of time responding to workers



65%

Feel they are meeting the needs of the workforce



44%

Said the role had reduced their health and wellbeing

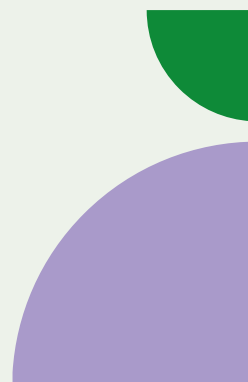
Source: 2023 Freedom to Speak Up Guardian Survey

108

Support calls held for Freedom to Speak Up guardians

Themes*

- 38** Case support
- 25** Freedom to Speak Up Guardian role clarity
- 38** Support in role
- 13** Data
- 7** Detriment
- 4** Wellbeing



*Some calls include multiple themes

Despite these challenges, eight out of ten guardians who responded said they would recommend the role to a friend or colleague.

"I feel satisfied that I am helping others, especially when they have no one else to turn to. The job can be difficult and draining sometimes but knowing that people can come to us for support makes it worthwhile."

Freedom to Speak Up Guardian



Freedom to Speak Up Guardians – Continued.



Bringing guardians together for networking and shared learning

For the first time since the pandemic, we were able to meet in person for our annual Freedom to Speak Up Conference.

Held in London, but with the ability to join virtually, over 300 people attending live, with many more able to watch the recordings of the conference if they were unable to join on the day.

In addition, we held three Communities of Practice sessions. Freedom to Speak Up guardians came together with common problems, explored ways of working and shared ideas, promoting good practice. These were attended by 76 guardians attending over 3 dates.

Following the BBC Panorama programme – Undercover Hospital – we held two roundtables with Freedom to Speak Up guardians supporting mental health trusts. These sessions explored the challenges they face in their setting and were an opportunity to share practice and experiences. The NHSE Clinical Director for Mental Health, Claire Murdoch, joined for one session to listen to Freedom to Speak Up guardians feedback.



My journey from mental health nurse to Guardian

Leeds and York Partnership Foundation Trust (LYPFT) is the main provider of mental health, learning disability and neurodiversity services in Leeds, as well as more specialist services across the North of England. I became their first Freedom to Speak Up Guardian in October 2017 because I felt I could make a difference and help people safely raise matters.

I started my NHS career in mental health nursing as a staff nurse in our rehabilitation and recovery services after qualifying in 1998. I then progressed to roles in different settings including a forensic mental health team and experience in a private medium secure hospital and by 2015 I had worked my way up to be the Bed Manager.

One of my first tasks as a Guardian was to raise awareness of how I could help people. I needed to encourage them to put their trust and faith in me.

Making sure I reached all staff including bank, agency, contractors and other seldom heard colleagues was a huge job. Engagement is key, and working closely with our Communication Team helped me to promote myself and my role when it was brand new. We did this through displays in clinical services, drop in events, blogs, and also some more informal use of Twitter. Our staff networks have been invaluable, providing a rich insight from different perspectives.

Within mental health services there are units which by their very nature are closed access. This can be a concern that negative 'closed cultures' develop. Because of the integrity of my experience as a long-standing member of staff at LYPFT, and the trust I have built up, I have open access to these units, so that I can visit freely and am available to all workers to speak up to.



John Verity

Outgoing Freedom to Speak Up Guardian at Leeds and York Partnership NHS Foundation Trust

As with most roles within the NHS, good quality supervision is a core requirement as some of the concerns can be very effecting. I have high levels of support from the Trust Board Chair, Chief Executive and Chief Operating Officer. LYPFT were also able to provide a psychologist to offer regular supervision to the regional network too.

We have appointed five Freedom to Speak Up Ambassadors. These are voluntary roles and are fulfilled by a mixture of clinical and non clinical colleagues alongside their day jobs. They contribute to creating a culture of speaking up where all staff feel safe and confident to raise concerns.

Our core values are Caring, Simplicity and Integrity, and throughout my career and extended through the Guardian role these are always upheld with civility, dignity and respect for any colleagues raising concerns. Speaking up leads to improvements, and at all times I have remained solution-focused. Anyone raising a concern has always been thanked for speaking up.

Together we've managed over 320 concerns since I came into post in 2017. I'd like to think that's 320 people we've helped find support for a problem they couldn't solve on their own.

Freedom to Speak Up Guardians – Continued.

Greater assurance of Freedom to Speak Up Guardian Training

As the Freedom to Speak Up Guardian network develops, we are seeing an increased professionalisation in the role. There are movements in terms of investment in time and banding, however, we would like to see this considered more consistently across the sector.

One of our strategic aims is to gain greater assurance of the quality and consistency of the performance of those in a Freedom to Speak Up Guardian role, through enhancements to our training and registration processes.

Freedom to Speak Up guardians are employed by the organisation they support, either directly or indirectly. In order to be placed on the National Guardian's Office directory, they are required to complete our training.

The training is in two parts – Foundation training delivered by elearning modules, followed by a reflective conversation with a Freedom to Speak Up Guardian mentor.

Mentors

Volunteer Freedom to Speak Up Guardian Mentors are experienced guardians who help newly appointed Freedom to Speak Up guardians reflect on their experience, helping them to identify any learning and support needs through discussion and guidance as they progress in their role.

24

Freedom to Speak Up Guardian Mentors

108

New Freedom to Speak Up guardians supported

Annual Refresher Training

To give assurance that all guardians were trained to the same level of knowledge and understanding of the expectations of this unique and far-reaching role, in 2021/22 all Freedom to Speak Up guardians were asked to complete the newly devised Foundation eLearning modules. This served as Refresher Training for that year.

569

Guardians completed the training

Each year, we will develop new training modules to refresh Freedom to Speak Up guardians' knowledge and skills. Annual Refresher training is now mandatory. We have established compliance mechanisms, and from 2022/23 guardian details may be removed from the National Guardian's Office's Find My Guardian page, if we cannot be assured that they have the necessary training to carry out this important role.

Supporting inclusivity

Following a commitment in the NHS People Plan for training to be provided for Freedom to Speak Up guardians to help improve the Speak Up culture for minority ethnic colleagues, we worked in partnership with the Workforce Race Equality Standards Team at NHS England to deliver 13 sessions for 214 Freedom to Speak Up guardians.

It is vital that Freedom to Speak Up guardians are sensitive and knowledgeable about diversity, inclusion and belonging. The National Guardian's Office is looking to embed this into next year's Refresher Training for all Freedom to Speak Up guardians.



The role of a Guardian Mentor

When I heard about the role of becoming a Mentor for the National Guardian Office, I was delighted to offer my support.

For a newly appointed Guardian it can seem very daunting starting out, so each session offered is unique to them. New mentees come from various backgrounds including NHS trusts, hospices, primary care and private health organisations.

Mentees say that these sessions are invaluable as I share examples of case studies where workers have raised concerns, discuss processes regarding signposting, address policy information and give information about resources available from the National Guardian's Office. We also share reflections of the actual day-to-day role. I provide information regarding support mechanisms that they can access to ensure their health and well-being are addressed and information about buddies and attending regional network meetings for additional support and information.

For myself as a Guardian, I am passionate in being able to impart my 5 years' experience and knowledge of the Guardian role. I also enjoy meeting new workers and using examples of my 35 years' experience in the NHS in discussing how the Guardian role impacts and improves both patient and worker safety for the future.

So far I have met over 40 new guardians, and I have had the privileged opportunity to discuss their new position, and ensuring they as a Guardian are equipped to provide the psychologically safety for their workers to speak up.



Sue Fogg

Freedom To Speak Up Guardian
Mersey Care NHS Foundation Trust
and Volunteer Guardian Mentor

Networks

Being a Freedom to Speak Up Guardian is a challenging, rewarding and sometimes isolating role. One vital source of support is the regional and national Freedom to Speak Up Guardian networks.

National Networks

Ambulance 47

Hospice 93

Non-providers 78

Regional Networks

North West

North East and Yorkshire

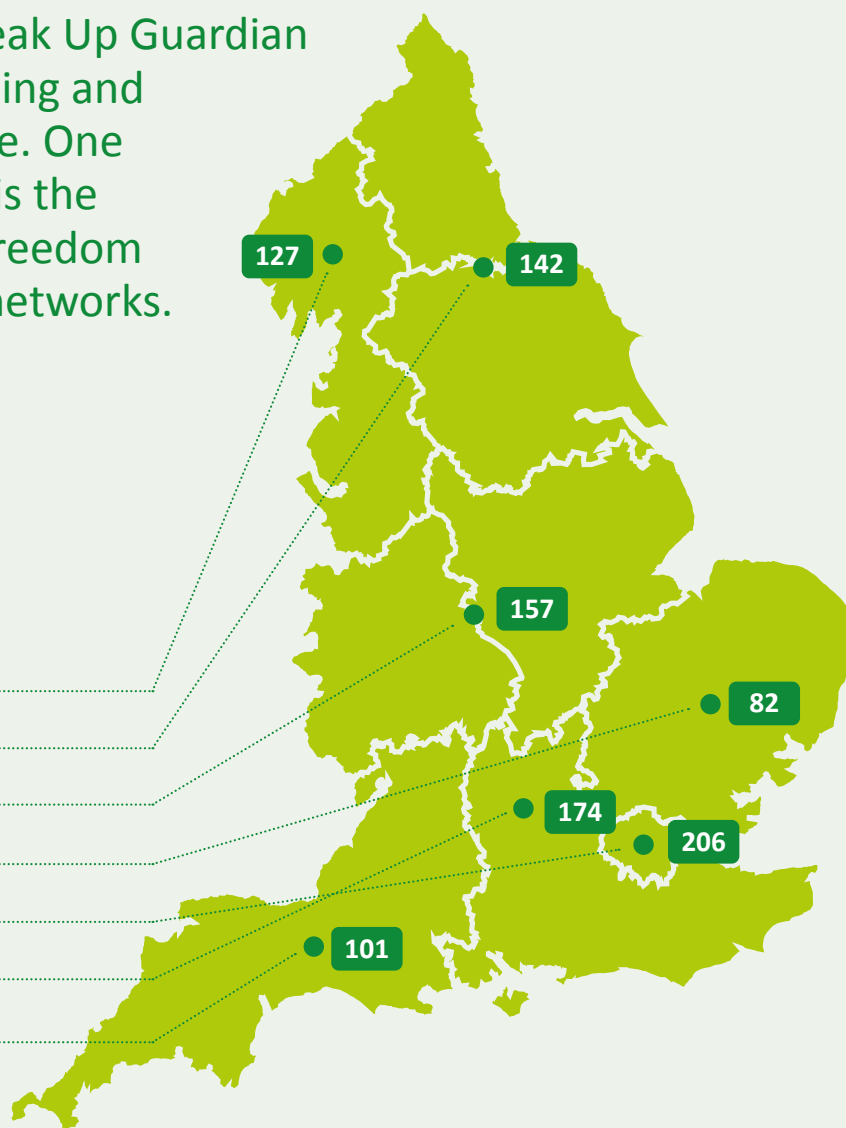
Midlands

East of England

London

South East

South West



We wanted to ensure that all networks were supportive and inclusive of all Freedom to Speak Up guardians, whatever the type of organisation they support. In 2022 we launched a project to enhance network effectiveness. This included updating expectations

of network chairs and establishing a fair and open network chair recruitment process. We provide a survey function for network members to feedback on the meeting and whether they felt supportive and provided opportunity to share learning.

Regional Networks



Northeast and Cumbria

Chair: **Amanda Sutton**

Here in the North East Region our regional network continues to grow. As well as being a very friendly network colleagues are always a very supportive network helping each other when facing the day-to-day challenges that we all inevitably face as guardians.

Last year saw our first face to face post pandemic meeting hosted by our colleagues at South Tees and we are hoping to hold another during Speak Up Month.

We are now looking forward to 2024 when we will be merging with our colleagues in Yorkshire and Humberside to see what the future holds.



North West

Chair: **Phil Gordon**

The North West network meets once a month. We regularly discuss external developments and hot topics, and are joined regularly by the National Guardian's Office and external

guest speakers. After every meeting, all members are invited to stay as long as is needed to seek for and offer informal peer support.

In December 2022 we had a regional conference where several colleagues shared progress and developments in their organisation, and we were joined by the National Guardian.



Yorkshire and Humber

Chair: **Estelle Myers**

Each meeting we share good practice and how we can all learn as a community of practice.

Over the year we have discussed the Ockenden report, guardian

hours and training, the updated national Freedom to Speak Up policy, and how the integrated care Freedom to Speak Up Guardian role is set up.

We have discussed dealing with anonymous concerns, wellbeing support, private companies on NHS premises, Care Quality Commission and Freedom to Speak Up, the Public Interest Disclosure Act, and the collection of diversity information.



Midlands

Chair: **Sue Pike**

The network continues to go from strength to strength, and has welcomed many new guardians during the year, with a notable increase in those from outside NHS trusts.

The network combines an informal and formal approach with fortnightly check ins and quarterly regional meetings (with the inclusion of training and development).

Speak Up month is supported with a range of varying activities in different trusts and access to a day-long virtual conference hosted by the network chair's organisation.

Guardians from within the network openly share resources and ideas to support each other. A particular area of review and focus during the year has been in relation to detriment with the evolution of a 'Best Practice Guide' from a task and finish group within the network.

Regional Networks – Continued.



East of England

Chair: **Annie Ng**

We strive to focus on promoting learning, sharing and continuous development among guardians. Over the last year we have implemented monthly

Community of Practice sessions, which have been extremely well received.

We have explored a number of themes including: leading and engaging inclusively with cultural intelligence; reflections from a former Non-Executive Director on the role of Non-Executive Director Lead for Freedom to Speak Up; networking with the GMC Regional Liaison Advisor; and looking at the Eastern Region Trainee's survey.

Guardians in the region have shared their learning, for example we heard from the Lead Guardian of the East of England Ambulance Service following the National Ambulance service Speak Up Review; West Hertfordshire Hospitals NHS Trust Guardian shared their Difference Matters project that looked at the impact of ethnicity on speaking up.



South East

Chair: **Mike Craissati**

We celebrated two organisations being shortlisted at this year's prestigious Health Service Journal awards. We have done a lot of work to help ensure the wellbeing

of our guardians, especially those whose organisations may have been in the media spotlight or under review.

We always ensure that good practice is shared amongst guardians. We have a diverse membership representing a wide range of healthcare organisations, from NHS trusts to primary care, commissioners and private healthcare providers.



London

Chair: **Karyn Richards-Wright**

As chair of the London Network we feel very proud of the progress the network has made, which has gone from strength to strength this year. Jacqui Coles, vice chair and I regularly receive feedback from

our guardians who say their highlights are the regional catch ups that we have on a fortnightly basis and quarterly meetings which are very well attended. We have seen the network grow and have guardians from different sectors within our region, enhancing the experiences and conversations that we bring to the meetings. Guardians have a safe place to speak and discuss their experiences but also to discuss learning which is our main focus. The main topics for this year have been detriment, barriers to speaking up, the Patient Safety Incident Response Framework and the wellbeing of guardians. We look forward to re-introducing face to face quarterly meeting in the very near future and continue the strong London Network links that have been formed.



South West

Chair: **Elizabeth Bessant**

We have such an inclusive and supportive network in the South West, sharing the highs and lows of being a Freedom to Speak Up Guardian.

There are many highlights to share, and one is our previous Chair, Sonia Pearcey, receiving the MBE in June 2022. Inspirational speakers have been a consistent focus for our sessions although the peer support we offer, supporting the health and wellbeing of each other, is pivotal.

Themes from guardians continue around capacity challenges, future growth and direction of the role, and an improved Well Led Care Quality Commission inspection framework valuing speaking up.

National Networks



Ambulance

Chair: **Carmen Peters**

A highlight for the year for the National Ambulance Network is that under extreme pressures, how resilient the members are. Although we provide a safe space, and listening ear to all workers

within our organisation, the National Ambulance Network provides a safe confidential non-judgemental empathic space for guardians to express their worries, share experiences and provide each other with good practice advice.

This year the Ambulance sector welcomed the National Guardian's Office Speak Up Review. The whole network pulled together to support each Guardian of the chosen five Trusts with comfort, support, reassurance and guidance. I am proud of each member of the network for encouraging all workers to voice anything that is a concern to them, but also allowing the network to provide that environment for guardians at our catch ups.



National Non-Providers

Chair: **Nick Hodgetts**

The network's numbers are growing due to the increase in guardians being appointed within Integrated Care Boards, and we now number approximately 130 Guardians serving

organisations of all sizes.

Now the network is fully active, we are recruiting Deputy Chairs and are helping and supporting new guardians with challenges (especially where people are the only Guardian in their organisation). We are beginning to help shape Freedom to Speak Up in ICBs in conjunction with NHS England's guidance.

We are introducing a debate topic slot which enables us to discuss and debate an element of Freedom to Speak Up, with a view to sharing views and expertise with the ultimate goal of making things even better.

Hospice

Chairs: **Janet Simkins, Jane Naismith, Sophie Cowan**

The network has seen a growth in the number of hospices attending network events and indeed in training guardians. Hospices are at various stages of developing their Speak Up work which means that the network meetings include a lot of sharing of experience and claiming learning, sharing good practice. Recently topics of conversation have included having champions to support guardians, recording cases, promoting a Speak Up culture and overcoming barriers and preparations for Speak Up Month.

We are pleased to have a regular update from the National Guardian's Office and were delighted to welcome Dr Jayne Chidgey-Clark to a network meeting.

Leadership



Strategic aim: To support and encourage leadership at all levels to foster a Speak Up, Listen Up, Follow Up culture

Leaders at all levels set the tone when it comes to fostering a healthy organisational culture. A supportive speaking up culture, led from the top, improves workers' experience and enhances organisational performance.

The role of leadership in influencing organisational culture is well documented. Yet, high profile cases reported in the media underline how the pressure which the healthcare sector is under can mean that this work is not given the priority it needs. A focus solely on targets can – especially under pressure – make us blind to how those measures are achieved and at what cost.

As one senior leader of an ambulance trust told our Speak Up review: “When I first started, everyone I spoke to said we have a culture problem. Sexism, racism, homophobic, cliquy. We are going to fix it but not yet. We need to sort out other things like wait times.”

74%

Of Freedom to Speak Up guardians said that senior leaders supported workers to speak up, a 3-percentage point decrease compared to the results of the previous survey (71%, 2021).

51%

Said managers supported workers to speak up.

Source: 2023 Freedom to Speak Up Guardian Survey





“Problem-sensing versus comfort seeking”: leadership approaches to Freedom to Speak Up

Researchers from University of Cardiff found that curiosity (in the form of reflexive monitoring and a problem-sensing approach to Freedom to Speak Up) could be recognised as a barometer of speaking up culture.

Curious leaders of trusts demonstrated a problem-sensing approach to Freedom to Speak Up and the Guardian role. They consistently monitored the contribution of speaking up to the organisation and normalised rigorous analysis of Freedom to Speak Up data, triangulating with other data sources.

Researchers found that achieving change beyond the surface level was dependent on leaders being comfortable “with the idea of being challenged, not comfort-seeking all the time”.

Demonstrable benefits of curiosity included improving the experiences of minority communities and workers who may otherwise be seldom heard from, alongside learning that fed into service improvements.

By contrast, where incuriosity was normalised, Freedom to Speak Up guardians often worked within restrictive boundaries and practices in which senior leaders were disengaged and limited data were collected and ‘reported’, rather than analysed, triangulated and integrated, into routine organisational processes of reflection and improvement.

Source: Implementation of ‘Freedom to Speak Up guardians’ in NHS acute and mental health trusts in England: the FTSUG mixed-methods study <https://www.ncbi.nlm.nih.gov/books/NBK583156/>

Leadership – Continued.

Increased focus on leadership

This year we have welcomed the focus on leadership through important reviews.

The independent review of health and adult social care leadership by General Sir Gordon Messenger and Dame Linda Pollard¹⁵ noted that “the Freedom to Speak Up initiative can be narrowly perceived through the lens of whistleblowing rather than also organisational improvement, and we would encourage a broader perspective.”

The proposed training, accreditation and appraisal implementation is a golden opportunity to ensure that fostering a healthy Speak Up, Listen Up, Follow Up culture is at the core of future leadership requirements. How managers and leaders listen and respond to speaking up should also be included in appraisal and performance management frameworks.

To support these future improvements, the National Guardian’s Office has worked with Health Education England to develop Freedom to Speak Up eLearning.

The last of the three modules – **Follow Up** – was launched this year and completes the package. Developed for senior leaders throughout healthcare – including executive and non-executive directors, lay members and governors – to help them understand their role in setting the tone for a good speaking up culture and how speaking up can promote organisational learning and improvement.

We contributed to the Committee on Standards in Public Life report Leading in Practice¹⁶ with a case study. Freedom to Speak Up guardians also shared their thoughts with the Committee. We were delighted to welcome Lord Evans, Chair of the Committee, as a plenary speaker at our Freedom to Speak Up Guardian Conference.



“If leaders are serious about creating a culture where people are willing to speak up, they must identify and dismantle the barriers to doing so”

Committee on Standards
in Public Life



¹⁵Leadership for a collaborative and inclusive future <https://www.gov.uk/government/publications/health-and-social-care-review-leadership-for-a-collaborative-and-inclusive-future/leadership-for-a-collaborative-and-inclusive-future#recommendations>

¹⁶Leading in Practice https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1130992/CSPL_Leading_in_Practice.pdf

Case Study: **First Community Health and Care**

In the 2022 NHS Staff Survey, 83% of workers at First Community Health and Care agreed with the question “I feel confident to speak up about anything that concerns me in my organisation.” This is the highest score across all NHS organisations, with the national average being 61.5%.

Talking about First Community’s positive speaking up culture, Florence Barras, Chair of the Board says: “As an employee-owned social enterprise we are committed to listening to each other, learning lessons and improving patient care. It’s who we are and these principles are fully embedded in our organisations culture and DNA.

“I’m really proud of the open, compassionate and inclusive culture we have at First Community and we have several speaking up mechanisms in place for colleagues to share their views and be heard.

“Our Floor to Board process allows employees to contact an executive or non-executive Board member directly within five minutes if they have a concern.

“Our Council of Governor’s are elected representatives who meet regularly with myself and Sarah Tomkins, Chief Executive to address issues of importance.

“We also have two Freedom to Speak Up guardians who provide a confidential safe space to raise concerns, along with a comprehensive Raising Concerns policy and additional guidance to support our workforce.



Florence Barras

Chair of the Board – First Community Health and Care

“We continually encourage our employees to have conversations when they feel that something isn’t right, and this is reflected in the 83% response rate which has significantly improved from 75% the previous year.

“Our speaking up approach is an integral step towards learning and improvement and means that everyone is empowered to raise concerns, lead change and celebrate learning.”

First Community delivers community healthcare services in East Surrey and the surrounding area, providing nursing and therapy services, children and family services as well as a Community Inpatient Ward and Minor Injury Unit at Caterham Dene Hospital.

Healthcare system



Strategic aim: to support health system alignment and accountability

For these benefits of Freedom to Speak Up to be realised, we need a whole system approach. Regulators with a deeper understanding of Freedom to Speak Up can better support organisations to use the voices of workers as a tool for improvement.

Our Speak Up review into ambulance trusts¹⁷ identified that partners in the healthcare system did not always communicate effectively regarding concerns about the speaking up culture in ambulance trusts.

Partnership Working

Updated Freedom to Speak Up Policy & Guidance for the NHS

The publication of the updated universal Freedom to Speak Up Policy for the sector is an opportunity for organisations to refresh their Freedom to Speak Up arrangements.

We worked together with NHS England, to publish new and updated Freedom to Speak Up guidance and a Freedom to Speak Up reflection and planning tool to work alongside the new policy.

These will help organisations apply the policy and deliver the People Promise for workers, by ensuring they have a voice that counts. This will help organisations develop a Speak Up culture where leaders and managers value the voice of their workers as a vital driver of learning and improvement.

NHS England is asking all trust boards to be able to evidence their application of the policy and guidance by the end of January 2024.¹⁸

In the coming year we will be seeking to understand what mechanisms there are to ensure compliance with national guidance and policy on speaking up.

¹⁷<https://nationalguardian.org.uk/case-review/speak-up-review-of-ambulance-trusts-in-england/>

¹⁸<https://www.england.nhs.uk/ourwork/freedom-to-speak-up/developing-freedom-to-speak-up-arrangements-in-the-nhs/>



Well led domain

We have been working with the Care Quality Commission on their single assessment framework and increasing the depth of well-led domain inspections around Speak Up culture. We are also assisting them as they develop inspections for integrated care systems and primary care.

Following our findings during our Speak Up Review of ambulance trusts, we are supporting the Care Quality Commission to deepen the understanding of Freedom to Speak Up for all those involved in the regulation, inspection, and improvement support of organisations, including senior leaders.

Emerging Concerns

The emerging concerns protocol provides a process for health and social care regulators to share information that may indicate risks to people using services, their carers, families or professionals. Over the past year the National Guardian's Office has escalated concerns to members of the emerging concerns protocol. While not a regulator, the National Guardian's Office receives data and information which can provide vital intelligence which provides early indications under the protocol and is seeking an inclusion within the group's communications.

Speak Up Partnership Group

Concerned workers turn to regulators when they are desperate for action to be taken and have exhausted other routes. We continue to build on this work further with the Speak Up Partnership Group, which brings together regulators to ensure a consistent approach to listening up.



NHS England is committed to improving the experience for all NHS workers who speak up to us as a national body. Being a member of the Speak Up Partnership group has given us an invaluable opportunity to learn from and to work with other national bodies in healthcare and to consider those when making improvements to what we do.

Just one example of this is when we recently updated our speaking up policy and in doing so, we made sure we incorporated all the principles which the group had jointly identified were important for workers speaking up.

Alison Bell,
NHS England



Speaking up can be incredibly difficult. It's crucial that system partners work together to support whistleblowers and that's why I really value the partnership group. We've collaborated on shared principles, so all those speaking up to our organisations receive a consistent, compassionate response. We've learnt from each other, sharing expertise and promoting initiatives, such as the GMC confidential helpline. And we've agreed areas for focus; one of the most important of these is Equality, Diversity and Inclusion. We know minoritised colleagues face even greater barriers when speaking up and I'm looking forward to working together to help tackle this.

Tista Chakravarty-Gannon,
General Medical Council

Learning from others

Sharing good practice

Sussex Community Foundation Trust was awarded the Freedom to Speak Up Organisation of the Year award at the HSJ Awards 2022. Oxford University Hospitals Foundation Trust was highly commended by the panel.

The submission from Elizabeth Bell, Freedom to Speak Up Guardian, titled 'Caring for Speak Up Ambassadors – Improving our Speak Up culture', demonstrated how speaking up has been embedded across the organisation.

The judges commented that they would feel safe in an organisation that had this level of focus, professionalism, and care. They commended the Freedom to Speak Up Ambassadors for speaking up about their experiences and how the role has supported speaking up in the trust and patient safety.

There were eight finalists this year and all finalists demonstrated good practice which has been shared as case studies for further learning on our website. Finalist Freedom to Speak Up guardians shared their learning at a panel during the Freedom to Speak Up Guardian Conference looking at ways to overcome futility and promote confidence that actions will be taken if people speak up.

Learning from other sectors

All sectors have experienced tragedies which could have been prevented if staff had been supported in speaking up. We have much to learn from one another about how to embed a culture where people feel they can speak up about anything which gets in the way of them doing their job.

For these reasons, the National Guardian's Office set up the Pan-Sector Network to enable cross-sector sharing and learning. Attendees are from 31 different sectors, ranging from armed forces, financial services, academia, public and third sectors, all with an interest in making speaking up business as usual.

This year we have held events exploring the themes of leadership; compassionate and effective investigations of Speak Up concerns; and an exploration of different models of roles which operate as a route for people to speak up at work, like the Freedom to Speak Up Guardian role.



Case study: **Dudley Integrated Health and Care NHS Trust**

In the 2022 NHS Staff Survey, Dudley Integrated Health and Care NHS Trust had the most improved Freedom to Speak Up subscore.

I was appointed Dudley Integrated Health and Care NHS Trust Freedom to Speak Up Guardian in November 2021. Our Trust is small with approximately 450 staff working across a diverse range of services. It is relatively new in the NHS having launched in April 2020. At that time the country was experiencing the first COVID-19 pandemic lockdown and most staff were working remotely where it was clinically effective to do so.

From the start the Trust encouraged open and regular engagement through meetings with the Executives and CEO. Staff transferred from several NHS and non-NHS organisations, and I was part of staff transferred from Dudley CCG. We were all warmly welcomed into this new Trust. Those first few months set the tone for the culture of the organisation. So, when the opportunity arose to take on the role of Freedom to Speak Up Guardian, though nervous, I felt supported and encouraged by the Trust.

Prior to my appointment, the Trust accessed the Freedom to Speak Up Guardian Services from Black Country Healthcare NHS Foundation Trust who also provided much needed guidance to me. I also receive support from the West Midlands Guardians Network.



Mwamba Bupe Bennett
Freedom to Speak Up Guardian

In those first few months my priority was clear, to raise awareness of what Speaking Up is and work with others to create a culture where staff felt safe to raise concerns. Over the next year, I met with teams and individuals face to face and online to explain the role of Speaking Up using the helpful National Guardian's Office resources. I also attend the induction meetings for new staff and all staff meetings where I anonymously and appropriately share the concerns, learning and actions that I had or that were brought to me. It is a privilege that staff trust me with the concerns or suggestions for improvement.

I am grateful that our Trust Board and Senior Executives have embraced the Freedom to Speak up principles. Our Communications and Engagement team encourage staff to attend the Staff Forum, Staff Voice Groups, and other Listening Events which I also attend. A representative from our Executives is also present at the Staff Forum to receive feedback from staff directly.

We have all worked hard to create this culture that led to the improvement in our NHS Staff Survey results, and it is something we are deeply proud of and will continue to work on.

Future priorities

Alongside our work supporting Freedom to Speak Up guardians, four core themes are directing our work programme for the next year. These are:

- › Improving our systems to better support our offer to **Freedom to Speak Up guardians**
- › Ensuring all workers have a voice wherever they work, including in **primary medical services**
- › Exploring how we can support the knowledge and skills of **Non-Executive Directors** and those with organisational oversight
- › Building on insights from our first **Speak Up review**, initiating our next review and establishing the framework for future assessments.

Improving our systems to support Freedom to Speak Up guardians

Upgrading our systems is an operational priority for the forthcoming year.

As the Freedom to Speak Up network has grown and diversified, we have improved our training and assurance of Freedom to Speak Up guardians, and developed resources to support them in their work, including communications resources. These improvements have meant that our guardian portal, website and learning management systems need to be upgraded to provide integrated support, data collection and security, and enhanced learning provisions.

Freedom to Speak Up for Primary Medical Services

Freedom to Speak Up can support the successful delivery of healthcare in England as it becomes more integrated. Integrated care boards are an opportunity to ensure speaking up routes are available for all workers in NHS healthcare providers across the Integrated Care System.

Working in partnership with NHS England, we are building on our report in 2021¹⁹ looking at Freedom to Speak Up models in primary care. This includes working with guardians to better understand the practical challenges of Freedom to Speak Up in primary medical services and integrated care boards.

¹⁹<https://nationalguardian.org.uk/2021/06/03/exploring-freedom-to-speak-up-in-primary-care-and-integrated-settings/>

Non-executive Directors

The new code of governance for NHS provider trusts states:

“The board of directors should ensure that workforce policies and practices are consistent with the trust’s values and support its long-term sustainability. The workforce should be able to raise any matters of concern.”²⁰

A key element of the Freedom to Speak Up Guardian role is to work proactively with their leaders to address the barriers to speaking up. However, our Speak Up Review of ambulance trusts found that senior leaders and boards did not always understand the benefits which fostering an open speaking up culture can bring. Listening to Freedom to Speak Up guardians in different settings, it is clear that developing the understanding of those in organisational oversight roles (not just non-executive directors, but trustees, governors, council leaders) will be a key lever in improving the culture of healthcare organisations.

Building on the Speak Up, Listen Up, Follow Up elearning²¹ packages we produced in association with Health Education England, we would like to see a shift from a position of ‘comfort seeking’ to curiosity about speaking up, where leaders and board members are inquisitive about the data that is presented to them and are keen to embrace the learning which listening to those who speak up can bring.

We will be exploring ways we can support the development and understanding of non-executive directors in this area, working in association with NHS England and NHS Confederation, and cross sectors.

Speak Up Reviews

The drive to make speaking up business as usual operates in a continuous improvement cycle. To facilitate this cycle, we carry out Speak Up Reviews to identify and promote learning and innovation to ultimately enhance the experience of workers, patients, and the public.

With the knowledge garnered from our first Speak Up Review, we are finalising the framework which will guide our assessment methodologies for future thematic reviews, grounded in good practice. We have started work to pinpoint the focus of our next Speak Up Review, which we aim to launch in Q1 2024/25.

83%

83 per cent of respondents said they had direct access to the non-executive director (or equivalent).

78%

78 per cent said they had sufficient access to the board (or equivalent), down five percentage points year-on-year (83%, 2021).

Source: Freedom to Speak Up Guardian Survey 2023

²⁰NHS England (2022) Code of Governance for NHS Provider Trusts

²¹<https://www.e-lfh.org.uk/programmes/freedom-to-speak-up/>

Governance

The National Guardian's Office is funded by the Care Quality Commission and NHS England. Senior representatives from our funders form the Office's Accountability and Liaison Board, led by an independent Chair.

Current Accountability and Liaison Board members are:

- › **Suzanne McCarthy** – Independent Chair (appointed May 2023)
- › **Dr Ronke Akerele** – Director of Culture Transformation, NHS England
- › **Adam McMordie** – Deputy Director Quality, Patient Safety and Maternity, Department of Health and Social Care
- › **Stephen Marston** – Vice-Chancellor, University of Gloucestershire.
- › **Sir Andrew Morris OBE** – Deputy Chair, NHS England
- › **Mark Sutton** – Chief Digital Officer, Care Quality Commission

The Board meets four times a year. Its overarching purpose is to provide strategic advice to the National Guardian on all matters related to their work portfolio, acting as a link to the boards of the sponsoring organisations.

The National Guardian reports at least annually to the boards of Care Quality Commission and NHS England on the work of the Office.

The Office also receives advice and support from the Partnership Working Group, whose members are senior leaders drawn from the Office's funding bodies, as well as the Department of Health and Social Care. The Partnership Working Group's purpose is to support the implementation of the National Guardian's work programme by providing insight and advice on emerging priorities and acting as a sounding board for ideas.

Liaison between the Office and Partnership Working Group members helps ensure the co-ordination of the organisations' respective work to support speaking up in healthcare.

Finances

The National Guardian's Office was allocated an annual budget of £1,650,333 and spent a total of £1,445,893. Expenditure on pay was £1,081,445.

Prescribed Person

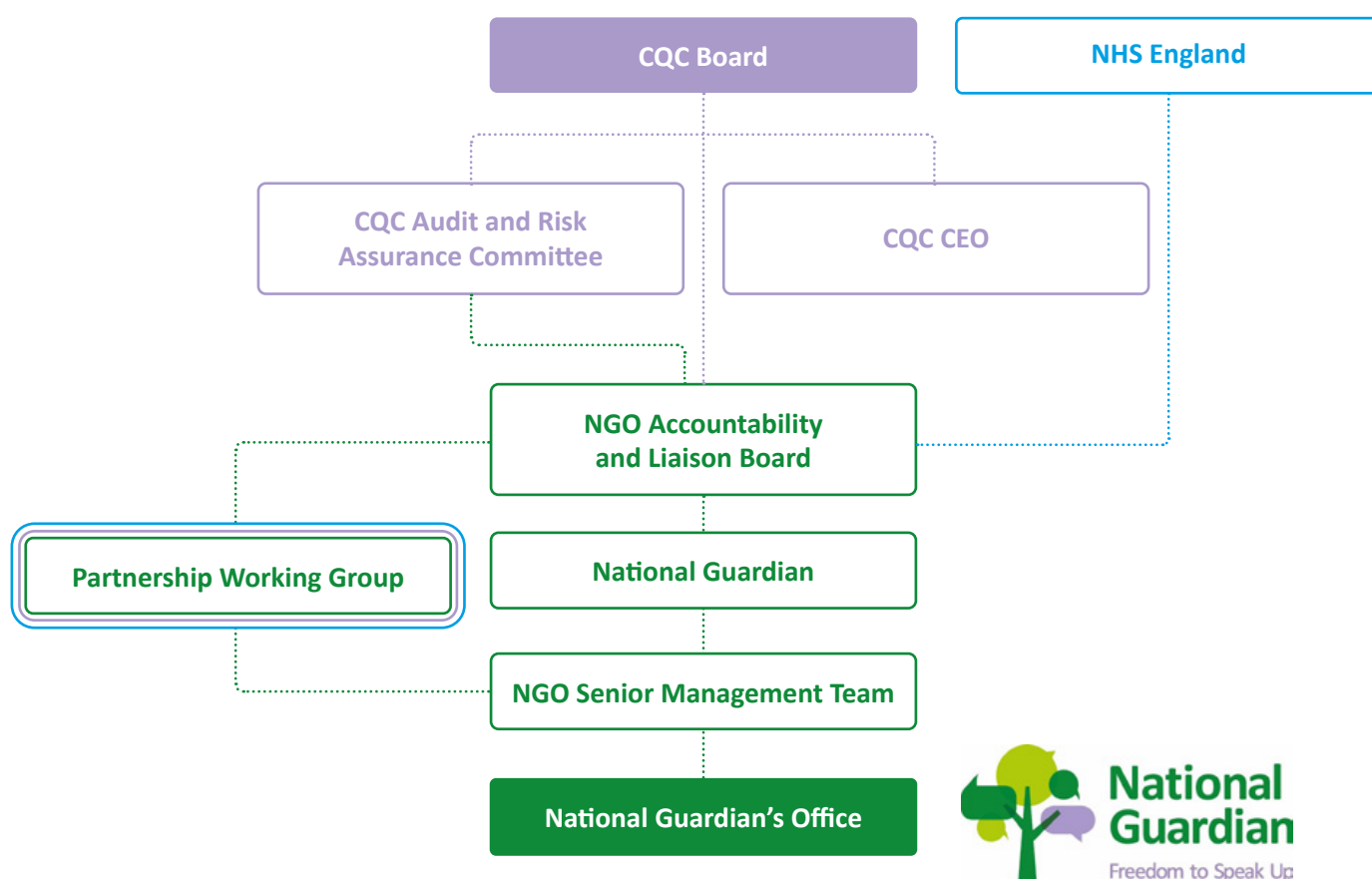
The National Guardian's Office is a 'prescribed person' for the purposes of s.43F of the Public Interest Disclosure Act 1998. In total, 32 'qualifying disclosures' were made to the Office, and 50 actions were taken as a result.

The National Guardian's Office annual prescribed person's report is available here.

<https://nationalguardian.org.uk/about-us/prescribed-persons-report/>

Structure

The National Guardian for the NHS is supported by a team consisting of 17 London or home-based members of staff at 31 March 2023.



Enquiries to the National Guardian's Office

3,303

Of these, 40% were responded to on the same day and a further 42% within 5 working days.

We are working to further improve our response times in line with our quality improvement approach







National Guardian's Office
Annual Report / April 2022 – March 2023

E03005055
978-1-5286-4515-7

