

Freedom to Speak Up Annual Report 2022/23

1. Purpose

- 1.1. To present the annual Freedom to Speak Up Report to the Board for information and discussion to support cultural change in the Trust.

2. Introduction

- 2.1. Everyone who speaks up at UHBW is asked for their feedback on the process and their experience. This quote is shared with the permission of the individual. It is a helpful reminder to the Board of the way that staff sometimes feel and sets the context for the challenge the organisation faces in implementing cultural change:

*“In terms of how the Trust treats its employees in the future to ensure nobody else has to go through what I’ve been through – openness, honesty and transparency. The ability to recognise failures and apologise for them would be hugely beneficial for both the Trust and its employees. It’s not rocket science, it’s basic humanity. Stop the ‘corporate cr*p’ and think about the individual.”*

3. Context/Background

- 3.1. The report by Sir Robert Francis, *Freedom to Speak Up: An Independent review into creating an open and honest reporting culture in the NHS (2015)* highlighted 20 Key Principles for NHS organisations to implement, which included an emphasis on creating a culture of safety, raising concerns, culture free from bullying; visible leadership, and valuing staff.
- 3.2. In addition, the review introduced the role of the Freedom to Speak Guardian to act as an:

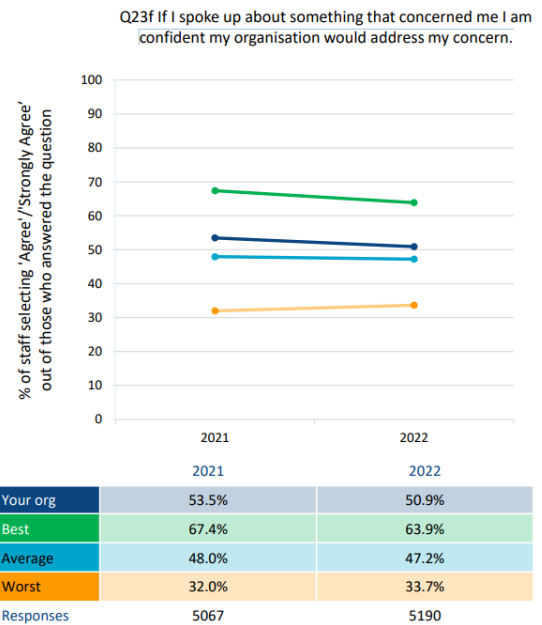
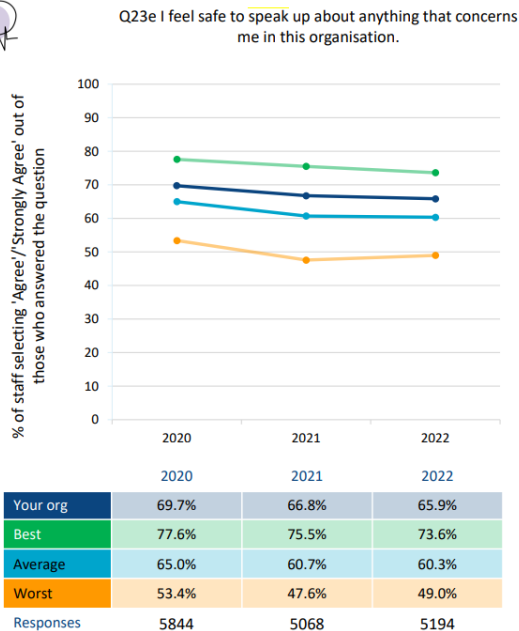
“...independent and impartial source of advice to staff, with access to anyone in the organisation including the CEO, or if necessary outside the organisation. They can ensure that the primary focus is on the safety issue; that the case is handled appropriately, investigated promptly and case addressed; and that there are no repercussions for the person who raised it.”

4. National and local context

- 4.1. This report is written at a time when the NHS, wider society and colleagues across the Trust are under a wide range of threats. These threats include the cost-of-living crisis, large numbers of vacancies, pressure to address operational performance and specifically to address the backlog in waiting lists, and an increase in reporting of moral injury.
- 4.2. Post the worst of the Covid-19 pandemic, staff have been under increasing pressures, not just in UHBW, but across the NHS. This has culminated in industrial action, mainly relating to pay, by most staff groups. Whilst a pay deal has been agreed for Agenda for Change staff, colleagues in medical professions

and the Royal College of Nursing are either planning further strike action or balloting on the prospect of further strike action.

- 4.3. Coupled with these threats, staff are also reporting the challenges they face in relation to factors, such as the condition of the estate and the areas they work in.
- 4.4. Working under threat can impact on behaviours – including stifling creativity, narrowing focus, increasing governance, and decreasing appetite for risk.
- 4.5. All these threats have an impact on staff wellbeing and engagement. There are proven links between the level of threat that staff feel under and their level of engagement with an organisation and specifically with change.
- 4.6. The National Guardian’s Office reported a decline against all measures relating to raising concerns in the NHS Staff Survey, both relating to raising concerns about clinical safety and speaking up more generally.
- 4.7. At UHBW, we reported a reduced response rate to the survey, a static staff engagement score, and a reduction in key metrics relating to speaking up, specifically:



University Hospitals Bristol and Weston NHS Foundation Trust Benchmark report

- 4.8. Furthermore, recent CQC reports into organisations across the country, have identified issues relating to fears of speaking up, the quality and timeliness of speaking up responses and the visibility and accessibility of managers.
- 4.9. In an update to the NHS England Board on 18 May 2023, the National Guardian Jayne Chidgey-Clark highlighted:

“High-profile reports and incidents have also been published (e.g. the Kirkup report ‘Reading the Signals: maternity and neonatal services in East Kent’; BBC Panorama investigation into mental health services at the Edenfield Centre, Manchester; The Berwick Report, University Hospitals Birmingham). These underlined what Freedom to Speak Up guardians and the NHS Staff Survey are telling us: that not all workers feel safe enough to raise matters of concern or get a consistent high-quality response to the matters they raise, sometimes with serious consequences.”

5. Summary of highlights

5.1. There have been several positive changes and impacts from a Freedom to Speak Up perspective during the year (appendix 1 includes further details alongside the key data for 2022/23):

- Most concerns that came through the FTSU route (109 in 2022/23) were responded to positively by managers and leaders, who listened to staff and took appropriate action.
- The Trust has committed to Speak Up training being a mandatory requirement for all staff and current compliance is 78% (91% in Estates and Facilities).
- The number of concerns from staff working in the division of Weston has started to stabilise and the division is no longer such an outlier. While the figure for concerns raised per FTE remains higher than other divisions, it has fallen year on year.
- The FTSU Guardians and Champions are more visible and accessible to staff. The Guardians are regularly attending inductions and department meetings.
- The diversity of the champion network has been maintained in year (job roles, age, gender, ethnicity is largely reflective of the UHBW workforce).
- There are quarterly champion network meetings and monthly informal champion support sessions where themes of issues and concerns are shared. Most of the champions are now trained, with the training aligned with the national guardian training.
- Alongside the South West FTSU Guardian network meetings, a sub-regional network of Guardians has been set up to share best practice across Bristol, North Somerset and South Gloucestershire (including UHBW, North Bristol NHS Trust, Avon and Wiltshire Mental Health Partnership NHS Trust; Sirona; Spire). A key success was the development of a joint letter to agencies (October 2022) to share the arrangements for speaking up, should any of their staff wish to raise concerns whilst working in one of the partner organisations.
- FTSU has influenced the Trust's recruitment process to help reduce the prevalence of unfair recruitment practices and perceived nepotism. This has resulted in a sharp decline in the number of concerns being raised about recruitment.
- Concerns about how bank workers are treated and how concerns they raise are dealt with have been highlighted and are helping to change the perception about the value of this key part of the workforce.
- Mandatory training for managers introduced at the end of 2022 as part of a wider programme of Leadership and Management Development should also start to make a difference, as there is a clear and consistent understanding of how to listen to staff when they need to raise concerns and to support the development of the psychologically safe culture for staff to raise concerns.

6. Further areas for improvement

- 6.1. There remain several areas where further work is required to support the creation of a culture where staff feel safe to speak up. As described in the context section, the NHS Staff Survey indicates that a decreasing proportion of staff feel safe to speak up. At UHBW only 65 per cent of staff state that they feel safe to speak up, and only 51 per cent of respondents stated that they had confidence that the organisation would address their concerns if they spoke up. Whilst the percentages place the Trust above the national average it is not good enough.
- 6.2. Aligned to the NHS Staff Survey are the results of a survey undertaken by Internal Audit to support their audit of the Trust's FTSU process in 2022. The survey (352 responses) asked what would make staff feel safer and more confident in raising concerns. 149 respondents opted to provide a comment in this area. Staff were concerned about confidentiality, confrontation and challenging difficult personalities. Some comments indicated that there was a fear of retaliation from speaking up. There was also some frustration expressed in relation to concerns/issues not getting resolved in a way that staff members consider satisfactory, as well as frustration around actions taking a long time to implement or actions/change not actually materialising.
- 6.3. This is supported by the fact that there are several concerns that have yet to be fully resolved which were raised and closed via the FTSU process some time ago. There are three specific concerns affecting different clinical and corporate services which remain unresolved after several years. The lack of perceived action by managers in the divisions to act on the concerns has a detrimental impact on the organisational culture and the perception of speaking up in the Trust.
- 6.4. A further example relates to the issues of racism, discrimination and microaggressions experienced and raised by staff in August 2022 and identified by the CQC in their inspection of Weston General Hospital. A listening action group started in January and meets monthly and listening events have taken place regularly in Weston. A video from the Weston leadership team was produced in October 2022 to remind staff about the Trust values and expected behaviours. However, the feeling from some staff is that more work needs to be done around communicating and engaging with staff to demonstrate that the Trust is taking the issues seriously and to share the actions it is taking.
- 6.5. A common theme among the concerns which remain the most challenging to fully address is a lack of ownership of the issue to drive change and improve the experience for staff (whether because of complexity; a fear of getting it wrong; busyness).
- 6.6. A final point to highlight is that, on occasion, staff who have raised concerns and have not seen demonstrable action, are labelled as troublemakers or agitators. While these are rare occurrences, no one should be labelled in this way. We are missing the opportunity to fully understand the concerns being raised and the context. This is also a barrier for some staff in raising concerns.
- 6.7. Two initiatives that the Trust is implementing that will support addressing these areas for improvement are the new Leadership and Management Development Programme, and the Respecting Everyone framework which will be launched in November 2023. These approaches will support managers with the right skills to

recognise the need to listen to staff and have different conversations. In addition, the Respecting Everyone Framework should empower individuals to have the confidence to raise issues and concerns directly.

7. Forward look 2023/24

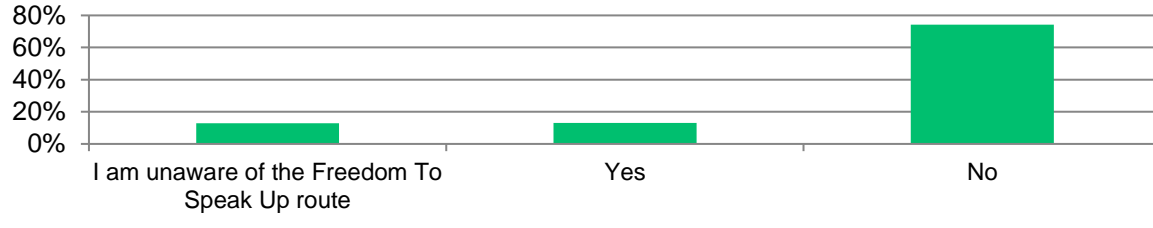
- 7.1. The FTSU strategy is due for review and this process will start in the summer and aim complete in the autumn. Initial engagement will be undertaken with the FTSU Champions, then staff side, staff networks, and colleagues in corporate services including patient safety and HR. A draft will be shared and discussed with the People Committee before being presented to the Board.
- 7.2. A revised Standard Operating Procedure is under consultation to seek to ensure the appropriate escalation and resolution of concerns. This will be launched in the summer.
- 7.3. The Guardians will continue to grow, develop, and support the champion network to ensure visibility and access to support for all staff, in all locations and all staff groups.
- 7.4. The FTSU Guardian and Champions are supporting the launch of the Respecting Everyone framework later in the year to help support different conversations at an early stage and a positive change to organisational culture.
- 7.5. Further work is underway, aligned with Patient First, and supported by the Director of Performance, to understand and triangulate data which will help to pinpoint whether further targeted support might be required for services to support cultural change.

8. Recommendations

- 8.1. The Board is asked to note the contents of the Annual Report for 2022/23 and discuss the actions it should now take in response.

Appendix 1: Key data for Freedom to Speak Up set against the three objectives of the Freedom to Speak Up Strategy

Data 2022/23										Description of changes in year and proposed areas of focus
Awareness of Freedom to Speak Up										
Compliance with mandatory Speak Up training (e-learning)		Diagnostics & Therapies	Medicine	Specialised Services	Surgery	Trust Services	Estates & Facilities	Weston	Women's & Children's	A 23% increase (average) in compliance against one-off mandatory Speak Up training since March 2022.
	March 23	77% (+26%)	76% (+29%)	77% (+17%)	72% (+26%)	86% (+24%)	91% (+18%)	86% (+23%)	72% (+22%)	

<p>Number of updates to staff and other workers in the Trust about speaking up</p>	<table border="1"> <tr><td>St Michael's Theatres team</td><td>12/08/2022</td></tr> <tr><td>BRI - A528 - ED, A300 with wellbeing nurse lead for the division</td><td>04/10/2022</td></tr> <tr><td>BRHC - level 5 wards and PICU</td><td>18/10/2022</td></tr> <tr><td>Patient safety/FTSU walk round - BEH (pharmacy, outpatients, theatres, Gloucester ward)</td><td>03/11/2022</td></tr> <tr><td>Therapies team</td><td>09/11/2022</td></tr> <tr><td>NICU – department visit with National Guardian</td><td>30/11/2022</td></tr> <tr><td>SDEC ward meeting on A307</td><td>06/12/2022</td></tr> <tr><td>Education and research team</td><td>06/12/2022</td></tr> <tr><td>Weston (ground floor departments and external offices)</td><td>14/12/2022</td></tr> <tr><td>Porter meeting (at BRI and BEH)</td><td>16/01/2023</td></tr> <tr><td>Gynae outpatients audit meeting</td><td>17/01/2023</td></tr> <tr><td>AMU</td><td>20/02/2023</td></tr> <tr><td>Weston – all wards and depts level 1</td><td>07/03/2023</td></tr> <tr><td>BHI – all levels – with wellbeing nurse lead for the division</td><td>13/03/2023</td></tr> <tr><td>International nurse induction (ongoing since Sept 2021)</td><td>Monthly</td></tr> </table>	St Michael's Theatres team	12/08/2022	BRI - A528 - ED, A300 with wellbeing nurse lead for the division	04/10/2022	BRHC - level 5 wards and PICU	18/10/2022	Patient safety/FTSU walk round - BEH (pharmacy, outpatients, theatres, Gloucester ward)	03/11/2022	Therapies team	09/11/2022	NICU – department visit with National Guardian	30/11/2022	SDEC ward meeting on A307	06/12/2022	Education and research team	06/12/2022	Weston (ground floor departments and external offices)	14/12/2022	Porter meeting (at BRI and BEH)	16/01/2023	Gynae outpatients audit meeting	17/01/2023	AMU	20/02/2023	Weston – all wards and depts level 1	07/03/2023	BHI – all levels – with wellbeing nurse lead for the division	13/03/2023	International nurse induction (ongoing since Sept 2021)	Monthly	<p>Programme of presentations and walk round by FTSU Guardians to continue in 2023/24 – linking with wellbeing and patient safety leads</p>
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<p>Response to internal audit survey (2022) relating to awareness of Speaking Up</p>	<p>Have you ever raised a concern via the Freedom To Speak Up route?</p>  <table border="1"> <caption>Survey Results: Have you ever raised a concern via the Freedom To Speak Up route?</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>I am unaware of the Freedom To Speak Up route</td> <td>13%</td> </tr> <tr> <td>Yes</td> <td>13%</td> </tr> <tr> <td>No</td> <td>74%</td> </tr> </tbody> </table>	Response	Percentage	I am unaware of the Freedom To Speak Up route	13%	Yes	13%	No	74%	<p>Survey completed as part of internal audit into Freedom to Speak Up process. 352 responses in total – 331 staff declared their division:</p> <table border="1"> <tr><td>Weston</td><td>13%</td></tr> <tr><td>Women's and Children's</td><td>35%</td></tr> <tr><td>Medicine</td><td>4.5%</td></tr> <tr><td>Surgery</td><td>4.5%</td></tr> <tr><td>Diagnostics and Therapies</td><td>13%</td></tr> <tr><td>Specialised Services</td><td>7%</td></tr> <tr><td>Trust Services</td><td>23%</td></tr> </table>	Weston	13%	Women's and Children's	35%	Medicine	4.5%	Surgery	4.5%	Diagnostics and Therapies	13%	Specialised Services	7%	Trust Services	23%								
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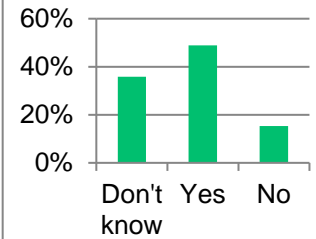
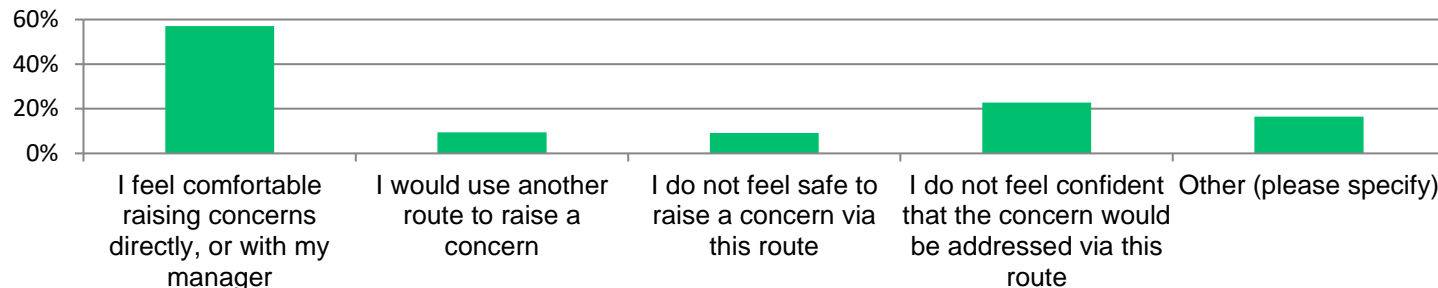
Number and location of Freedom to Speak Up staff champions across the Trust	Diagnostics & Therapies	5		Number of staff advocates decreased slightly in year from 99 to 81. However, champions remain on all sites across the Trust. Champion training is held regularly and is delivered in house, supported by the psychological services team.
	Medicine	9		
	Specialised Services	6		
	Surgery	13		
	Trust Services	24		
	Estates and Facilities	3		
	Weston	8		
	Women's & Children's	13		

Confidence in the Freedom to Speak Up process

Number of cases raised through the Raising Concerns phone, email or directly with the FTSU Guardians		Q1	Q2	Q3	Q4	Total	Similar number of concerns raised compared to 2021/22 (102 in the last financial year). In terms of themes of concerns, the majority (36%) relate to policies and processes, followed by 34% relating to inappropriate attitudes and behaviours, including bullying and harassment.
	Number of cases raised with the FTSU Guardian	28	23	35	23	109	
	Cases relating to quality / patient safety	1	2	2	1	6	
	Cases relating to bullying or harassment	2	2	3	3	10	
	Cases relating to worker safety or wellbeing	8	5	4	3	20	
	Cases relating to inappropriate attitudes or behaviours	5	4	13	5	27	

Numbers of concerns raised by division	Division	Diagnostics & Therapies	Medicine	Specialised Services	Surgery	Trust Services	Estates & Facilities	Weston	Women's & Children's	Concerns were raised in all divisions – as per the previous financial year. The number of concerns raised by staff in the division of Weston has continued to fall.
	Concerns	5	14	8	12	21	13	21	15	
	Full-time equivalent April 23	1,349	879	1,330	1,188	2,116	1,222	786	2,164	
	Concerns per FTE	3.7	10.6	15.9	6.0	10.1	9.9	26.7	6.9	

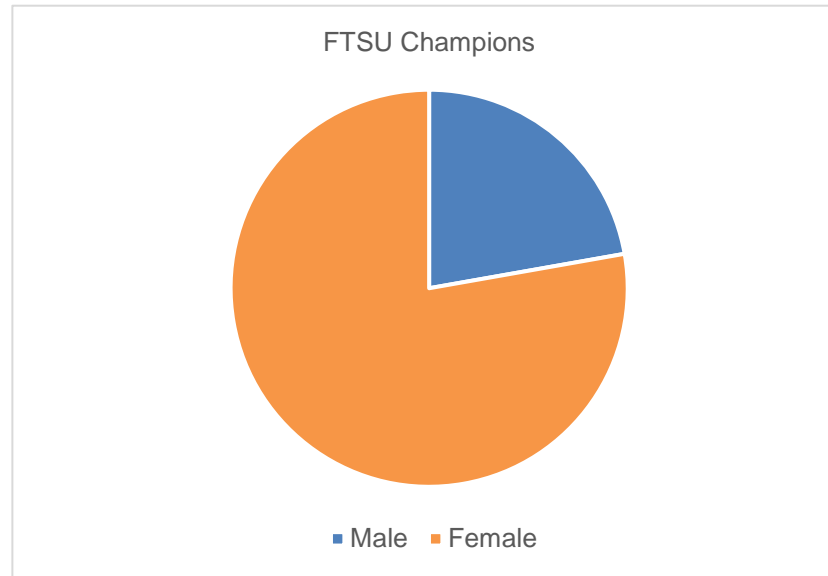
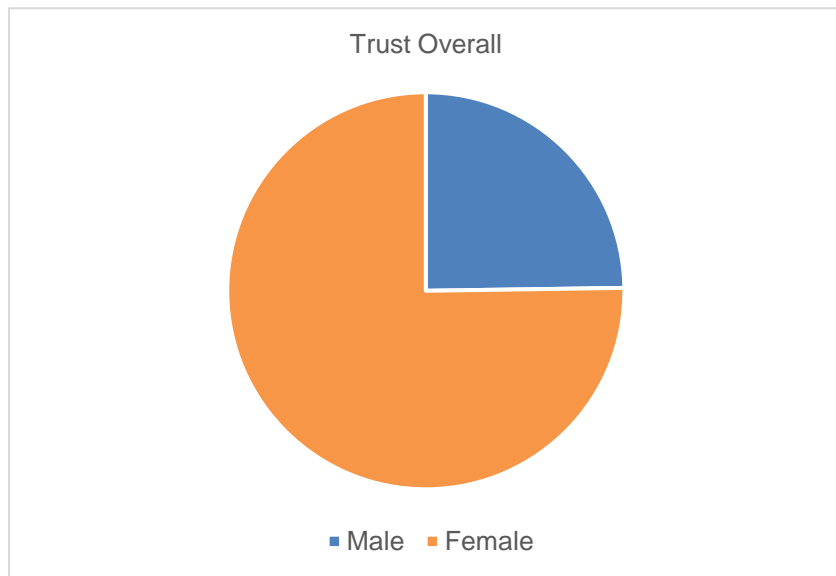
Numbers of concerns raised by staff group	Allied Health Professionals	Medical and Dental	Registered Nurses and Midwives	Admin/clerical	Additional professional scientific and technical	Additional clinical services	Estates and ancillary	Not known	Other	Concerns were raised across all staff groups, though predominantly from admin/clerical staff and registered nurses and midwives, in line with the national picture.	
	3	5	27	33	4	21	12	1	3		
Response to 'speaking up indicators' in the NHS Staff Survey by division (figures in brackets are 2021 results for comparison)			Diagnostics & Therapies	Facilities & Estates	Medicine	Specialised Services	Surgery	Trust Services	Weston	Women's & Children's	The NHS Staff Survey results show an overall decline in the scores for the key metrics relating to speaking up across divisions, except for Weston and Facilities and Estates, which showed improvements.
	Description	n = 5222	n = 717	n = 567	n = 564	n = 600	n = 648	n = 759	n = 375	n = 992	
	Would feel secure raising concerns about unsafe clinical practice	72.2% (74.8%)	77.8% (76.5%)	58.5% (61%)	76.9% (77.8%)	78.0% (79.0%)	69.7% (74.3%)	64.5% (71.1%)	73.5% (69.0%)	78.5% (80.6%)	
	Would feel confident that organisation would address concerns about unsafe clinical practice	57.6% (59.9%)	53.6% (59.2%)	57.1% (52.5%)	60.3% (61.4%)	61.6% (62.6%)	54.9% (59.6%)	56.4% (63%)	56.3% (41.9%)	60.0% (66.1%)	
	Feel safe to speak up about anything that concerns me in this organisation	65.4% (66.4%)	66.6% (66.7%)	62.0% (61.3%)	65.5% (66.7%)	71.4% (70.0%)	59.8% (64.4%)	65.4% (70.3%)	64.2% (52.2%)	67.0% (70.2%)	
	Feel organisation would address any concerns I raised	50.7% (53.1%)	48.9% (53%)	51.7% (48.7%)	47.2% (52.2%)	56.7% (55.5%)	46.8% (52.5%)	51.4% (57.9%)	45.6% (34.3%)	53.8% (58.5%)	

<p>Key responses to internal audit survey of staff (2022) – 352 responses</p>	<p>If there was a concern you wanted to raise, would you feel comfortable raising your concern via the Freedom To Speak Up route?</p>  <table border="1"> <caption>Data for: If there was a concern you wanted to raise, would you feel comfortable raising your concern via the Freedom To Speak Up route?</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Don't know</td> <td>35%</td> </tr> <tr> <td>Yes</td> <td>48%</td> </tr> <tr> <td>No</td> <td>17%</td> </tr> </tbody> </table>	Response	Percentage	Don't know	35%	Yes	48%	No	17%	<p>Is there a reason you would not use the Freedom To Speak Up route?</p>  <table border="1"> <caption>Data for: Is there a reason you would not use the Freedom To Speak Up route?</caption> <thead> <tr> <th>Reason</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>I feel comfortable raising concerns directly, or with my manager</td> <td>55%</td> </tr> <tr> <td>I would use another route to raise a concern</td> <td>10%</td> </tr> <tr> <td>I do not feel safe to raise a concern via this route</td> <td>10%</td> </tr> <tr> <td>I do not feel confident that the concern would be addressed via this route</td> <td>22%</td> </tr> <tr> <td>Other (please specify)</td> <td>15%</td> </tr> </tbody> </table>	Reason	Percentage	I feel comfortable raising concerns directly, or with my manager	55%	I would use another route to raise a concern	10%	I do not feel safe to raise a concern via this route	10%	I do not feel confident that the concern would be addressed via this route	22%	Other (please specify)	15%	<p>Internal audit identified from staff comments in the survey that the main barriers to speaking up are:</p> <ul style="list-style-type: none"> • A general lack of awareness around the FTSU process, including how to raise a concern in the first place • Concerns about anonymity when raising a concern • A lack of confidence about whether raising a concern will result in their desired outcome.
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<p>Feedback from those who have raised concerns</p>	<p>18 feedback forms returned from individuals who raised concerns and whose concerns were closed in the year. Of the 18 individuals who responded all answered 'no' to the question 'do you feel you've suffered in any way as a result of speaking up?'</p> <p>16 answered 'yes' the question 'would you speak up again?'. 1 answered maybe and 1 answered 'don't know'.</p>	<p>The return on the number of anonymous feedback forms sent out remains low, though in line with last year (17 received).</p>																					

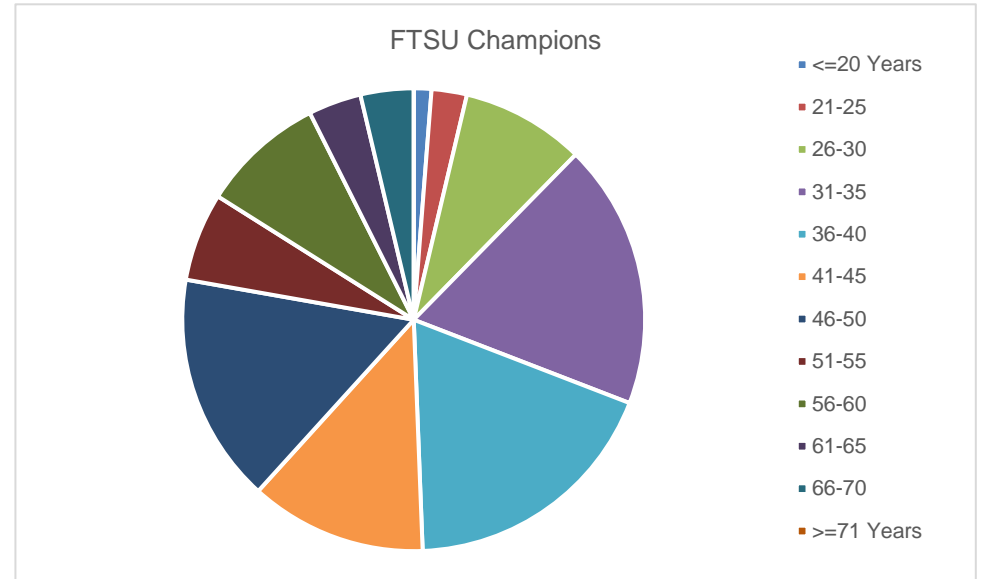
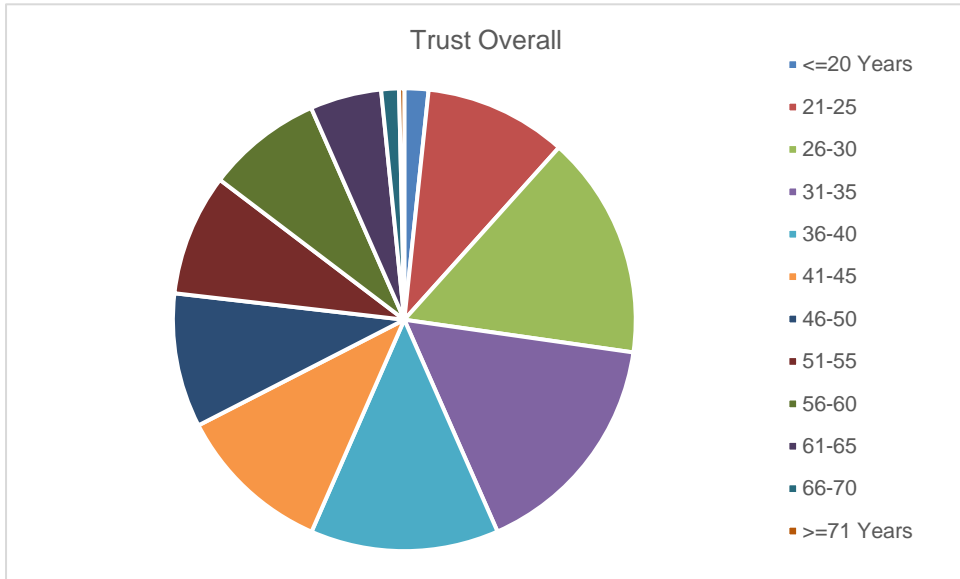
Training and support for leaders and managers to understand their behaviours and deal positively with concerns		
Take up of management (behaviours) training by division	Mandatory management training introduced in November 2022. Learning from FTSU fed into training. Roll out of Respecting Everyone training to support managers in early resolution of issues and concerns started in spring 2023.	Compliance against mandatory training for managers is monitored by the Education team.
Compliance with listen up training	Compliance against non-essential Listen Up training for managers was 22% in June 2023 (based on 2,385 staff listed as line managers on ESR/Kallidus)	Static since July 2022. Continued promotion of Listen Up training by FTSU Guardians to managers

Breakdown of diversity of FTSU staff champions compared to UHBW staff overall

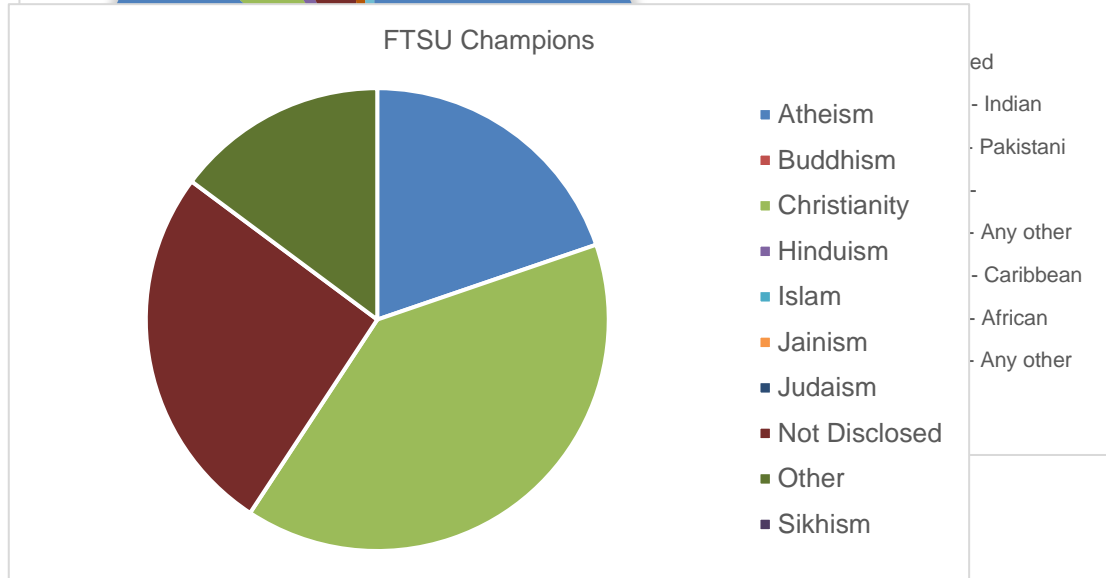
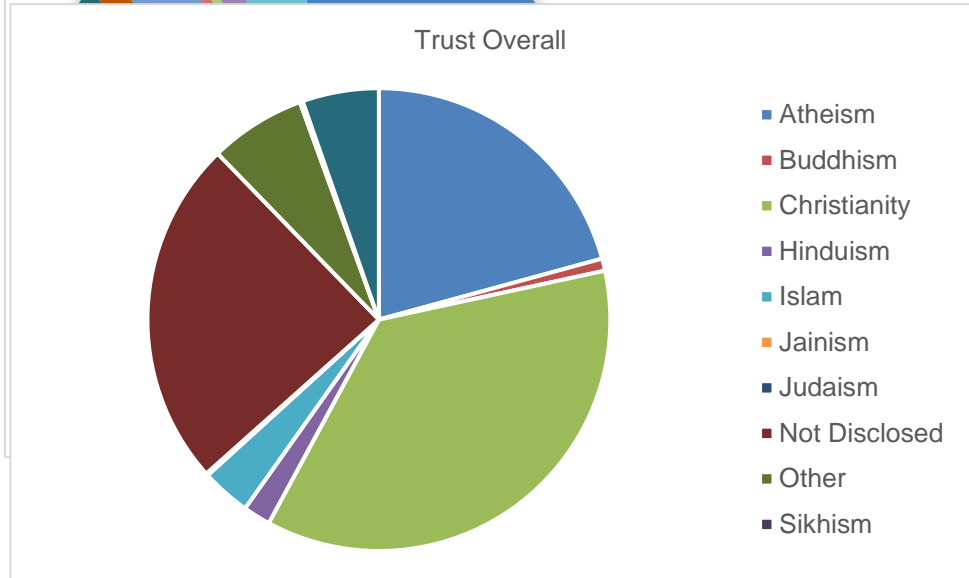
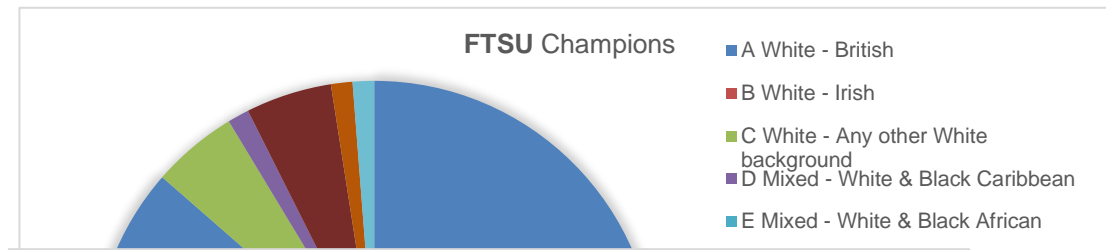
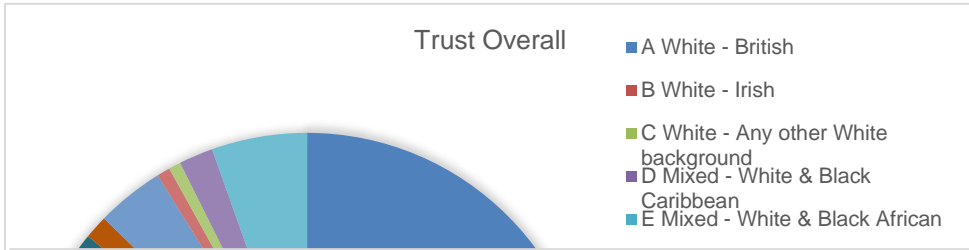
Gender



Age

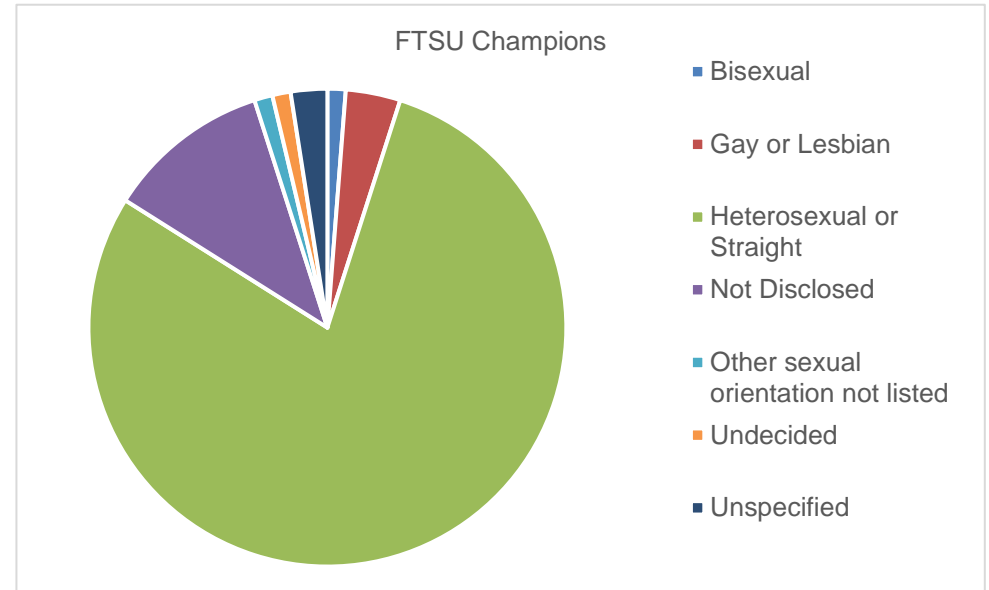
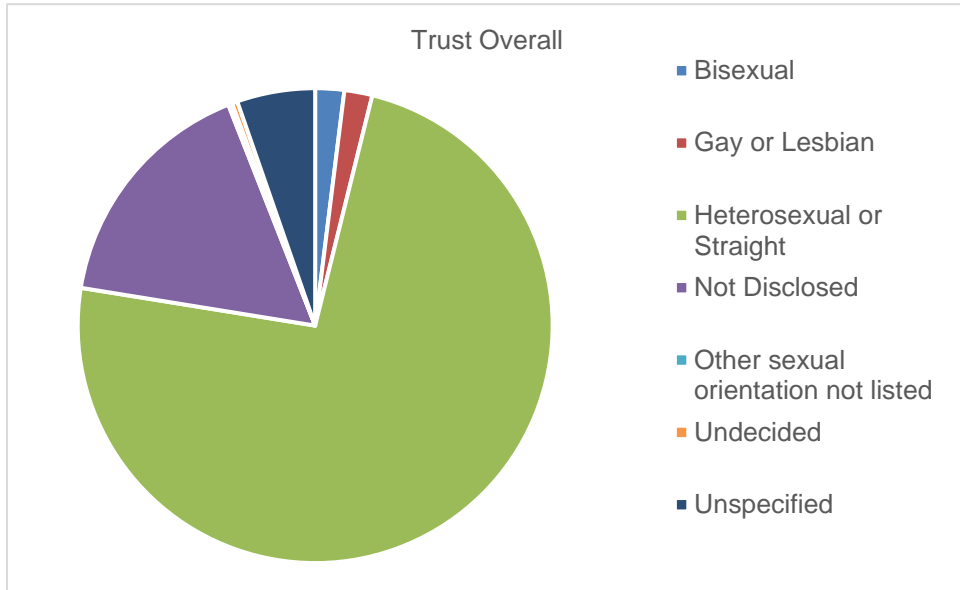


Ethnicity

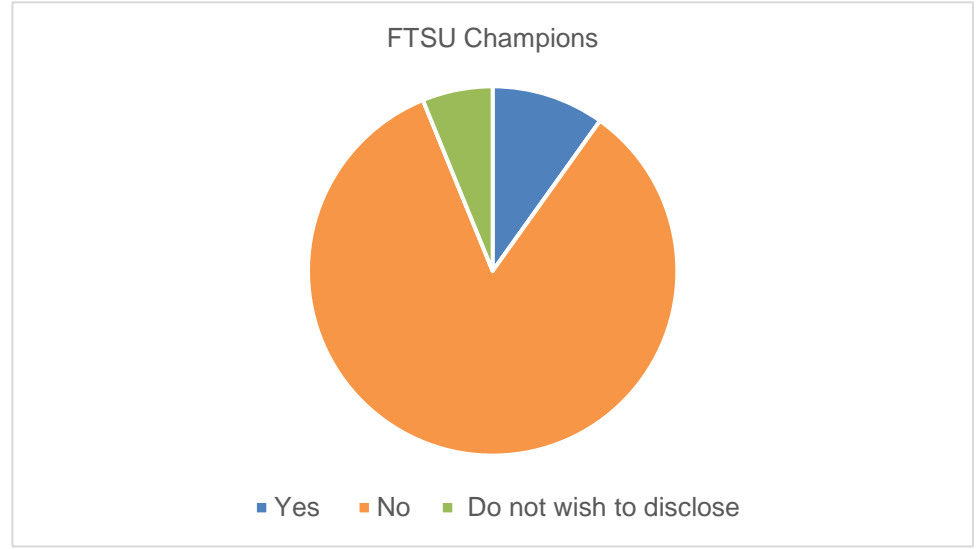
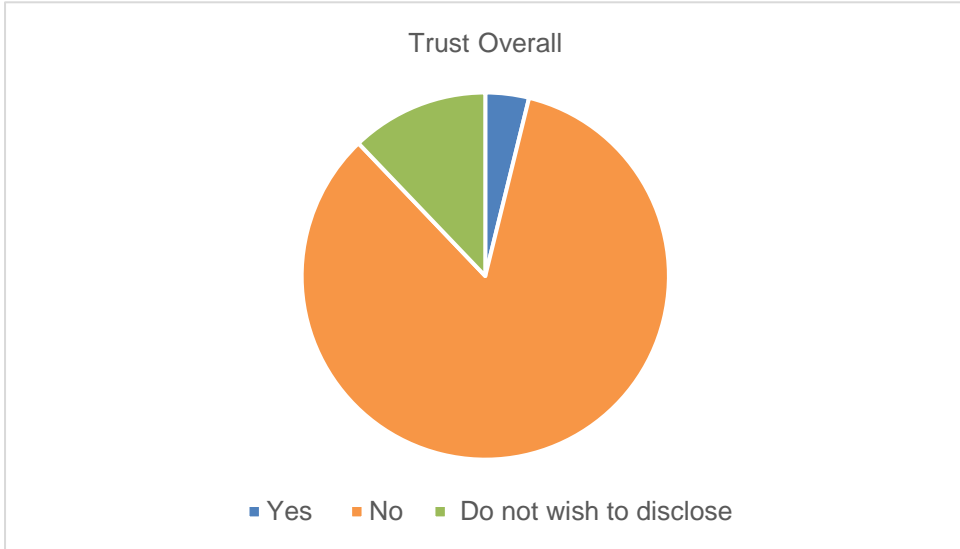


Religion

Sexual orientation



Disability



Pay band

