

## Meeting of the Board of Directors in Public on Thursday 28 May 2020

<b>Report Title</b>	<b>Freedom to Speak Up Annual Report 2019/20</b>
<b>Report Author</b>	<b>Eric Sanders, Freedom to Speak Up Guardian</b>
<b>Executive Lead</b>	<b>Eric Sanders, Freedom to Speak Up Guardian</b>

### 1. Report Summary

The report provides a summary of Freedom to Speak Up activity across the Trust during 2019/20.

### 2. Key points to note

*(Including decisions taken)*

- There has been good progress to deliver the FTSU Strategy although a number of areas had been identified for further work in 2020/21.
- There had been a 72% increase in the number of concerns raised, year on year. The majority of concerns related to Attitude and Behaviours, and the majority of concerns were raised by Admin and Clerical staff.
- The Guardian was supported by an FTSU Engagement Lead during the year to recognise the increasing workload. Further agreement was reached to appoint a Deputy FTSU Guardian from 1 April 2020 given the merger with Weston Area Health NHS Trust and further increase in workload.
- The trends in concerns across the year, particularly the increase in the number of concerns, in the Trust data broadly mirror the increases seen nationally, with the exception that the Guardian has not received any anonymous concerns, and the proportion of concerns relating to patient safety are significantly lower in the Trust compared to the national picture.
- A lot of learning has been identified and shared following staff raising concerns. This is being built into the Trust's learning and development programmes. Case studies are being developed to help share and build confidence in speaking up.
- The latest staff survey results demonstrate further improvement in the Trust's speaking up culture but shows that further work is required in relation to staff feeling secure about raising concerns, ensuring staff have confidence that the organisation will take action and that staff feel confident that the organisation would address their concerns. This directly links to the FTSU Strategy objectives and further work is commencing to join up all avenues where staff can raise concerns so that the joint resources can work in unison.
- The Trust achieved a FTSU index score of 79%, as calculated by the National Guardian's Office. The FTSU index was calculated as the mean average of responses to four questions from the NHS Annual Staff Survey and is aligned with the Trust's overall CQC rating.

### 3. Risks

If this risk is on a formal risk register, please provide the risk ID/number.

The risks associated with this report include:

There is a risk that staff do not know about, or have confidence in, the speaking up arrangements in the Trust. This is being addressed through the delivery of the FTSU Strategy and through communication to all staff groups, in all locations, which will seek to include the use of case studies in 2020/21.

### 4. Advice and Recommendations

*(Support and Board/Committee decisions requested):*

- This report is for **Assurance**.

The Board is asked to:

- Note the Freedom to Speak Up Annual Report 2019/20
- Seek further assurance, via the People Committee, that there are structures and a coordinated approach in place to support cultural change across the Trust, that will address the identified gaps around management and leadership training and which will drive improvement in the staff survey results.

### 5. History of the paper

Please include details of where paper has previously been received.

Senior Leadership Team	20 May 2020

## Freedom to Speak Up – Annual Report – 2019/20

### 1. Purpose

- 1.1. To present an overview of the work of the Freedom to Speak Up (FTSU) Guardian and Advocates over the year including high level details of the number of cases raised, a thematic analysis and any learning from the cases.

### 2. Background

- 2.1. 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.
- 2.2. 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.
- 2.3. UHBW is committed to implementing the recommendations of the Francis Report 2015 and embedding a strong culture throughout the Trust.
- 2.4. NHS England and NHS Improvement published Guidance for boards on Freedom to Speak Up in NHS trusts and NHS foundation trust<sup>1</sup> in July 2019. A summary of the expectations on Boards is as follows:
  - The Board demonstrates its commitment to creating an open and honest culture where workers feel safe to speak up
  - The Board has a clear vision for the speaking up culture in their trust that links the importance of encouraging workers to speak up with patient safety, staff experience and continuous improvement
  - The Board demonstrate their commitment to creating a positive speaking up culture by having a well-resourced FTSU Guardian
  - The Board needs to be assured that workers will speak up about things that get in the way of providing safe and effective care and that will improve the experience of workers
- 2.5. Board members are encouraged to read the guidance and seek further assurance to ensure that it is performing its role effectively.

### 3. Progress against the FTSU Strategy

- 3.1. The Board approved a Freedom to Speak Up Strategy at its meeting in May 2019. This set out three key objectives:
  - Raise awareness about speaking up across the Trust
  - Build confidence in speaking up to encourage people to come forward
  - To utilise the learning from speaking up to drive cultural change.

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<sup>1</sup> [https://improvement.nhs.uk/documents/2468/FTSU\\_guidance.pdf](https://improvement.nhs.uk/documents/2468/FTSU_guidance.pdf)

- 3.2. The strategy contained a number of actions and measures. Progress against these is described in the tables in Appendix 1. The main highlights are as follows:
- 3.2.1. The number of concerns has risen again, with a 72% increase in the number of concerns raised (55, up from 32).
  - 3.2.2. The new video, developed in the year, has now been included in the corporate induction programme for all new staff with attendance rates above 98%. Local induction rates remain low (68%) and further work is required to ensure that advising on how to raise concerns is included in the programme and that compliance rates increase.
  - 3.2.3. Awareness raising sessions have been held across the organisation either by the Guardian or by Advocates. These have been coupled with regular articles in Newsbeat, a Schwartz Round and other marketing approaches to raise the profile of Speaking Up.
  - 3.2.4. Advocate numbers and diversity across the Trust has increased with more than 50 Advocates now in place.
  - 3.2.5. Feedback on the process remains positive, with the majority of staff who have raised concerns reporting that they would speak up again.
- 3.3. This demonstrated good progress in most areas, although there remains a need to focus on the following areas:
- 3.3.1. Development of a series of case studies to support building confidence about the process with staff. These will seek to give examples of the types of concerns that are raised, the process that an individual might go through and how they are supported. The case studies will also provide the perspective of the manager to give confidence that speaking up is an important tool for understanding issues within their teams and how it can support them to improve the culture in their areas.
  - 3.3.2. Development of a more coordinated approach across all functions which support speaking up, including HR, Unions, Wellbeing Advocates, Patient Safety, Guardian of Safe Working Hours and others.
  - 3.3.3. More regular snap shot surveys with higher response rates to get an improved picture of speaking up across the Trust.
  - 3.3.4. Extension of the Freedom to Speak Up approach across Weston General Hospital, including promoting the new Guardian, and developing the Advocate network.

#### **4. Key Achievements During 2019/20**

- 4.1. In addition to the progress against the strategy, the Board should be aware of the following achievements:
- A new short video was developed to promote speaking up across the Trust and linked to the national speaking up month in October 2019. This is now used in Trust induction, will be included in the Medical induction from August 2020 and in local promotion activities. The video can be found at the following link:  
[UHBW Speaking Up Video](#)
  - The FTSU intranet presence has been reviewed and refreshed to make access clearer and accessible to all staff.

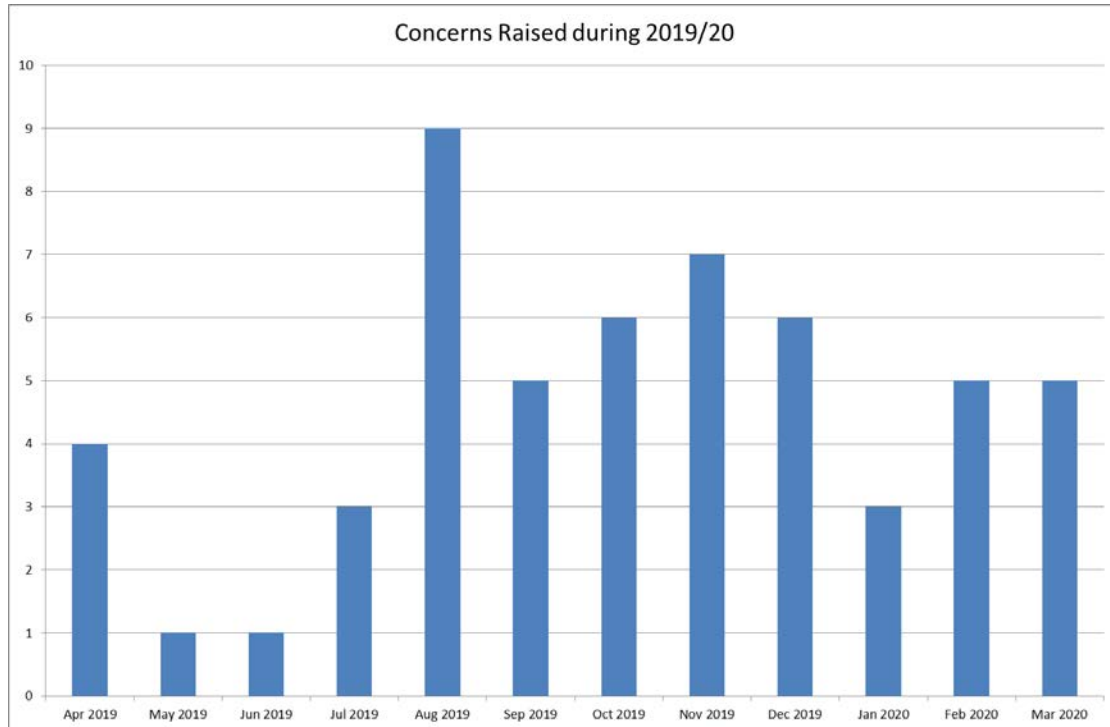
- The Guardian and FTSU Engagement Lead have attended a range of staff meetings to promote the FTSU programme. These have included Divisional Management Teams, nurse leadership groups, and specific clinical and non-clinical areas including finance, and estates and facilities.
- Further awareness raising has been undertaken through regular updates in Newsbeat, and messaging in the voluntary services newsletter and other divisional/speciality newsletters. The Advocates are playing a growing role in communicating key messages into their divisions and teams.
- Quarterly meetings of the Advocates are held with these meetings providing a forum for sharing lesson learnt, key messages and to provide additional training which would be beneficial to the Advocates. This has included training on Nip it in the Bud and the role of Employee Services, so that Advocates can confidently sign post staff to the most appropriate team to help deal with their concern.
- There is now six monthly reporting to the Board and People Committee on the work of the Guardian. Overall the Board or Committee receives a quarterly update.
- The Guardian is a Happy App super user with access to all areas of the system. This is helpful in terms of understanding the feedback from staff to help target resources for further awareness raising. There is also now a direct link from the Happy App to the FTSU pages on the intranet should concern wish to be raised with the Guardian.

## **5. Challenges Identified During 2018/19**

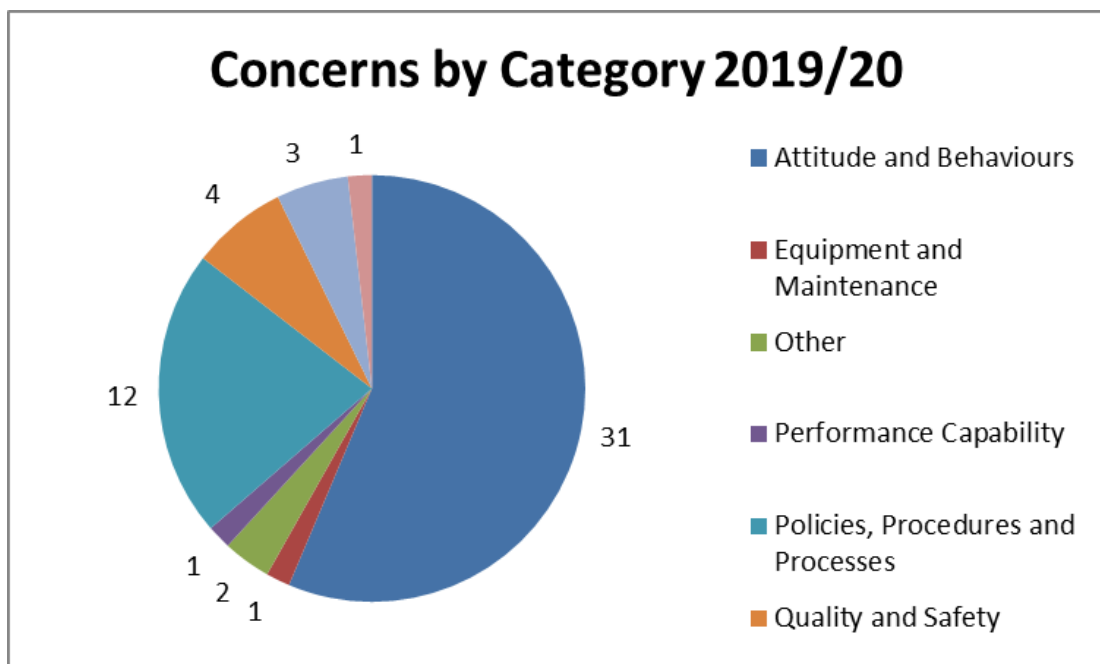
- 5.1. The key challenge during the year has been the capacity of the Guardian to deliver the strategy. Specifically to follow up on concerns raised and to undertake proactive work to identify and then target “hot spot” areas where more focused attention would be beneficial.
- 5.2. A Speaking Up Engagement Lead was appointed to support the Guardian during the year and funding was agreed to substantively appoint a Deputy Freedom to Speak Up Guardian from 1 April 2020. This also recognised the increase in the role anticipated following the merger with Weston Area Health NHS Trust.
- 5.3. Recruitment to the role, on an interim basis, was completed in March 2020 and Kate Hanlon was appointed into this role for six months. This timeframe allows for the corporate services consultations to be completed and the role will be advertised on a permanent basis in September or October 2020.

## **6. Summary of Cases Raised During 2019/20**

- 6.1. During 2019/20 there were 55 cases raised to the FTSU Guardian. This compares to 32 in the previous financial year. This is a 72% increase year on year.



6.2. In none of the cases, where a concern has been closed, has an individual reported suffering a detriment as a result of speaking up. Where there is a risk that this may happen, the Guardian is working closely with the individual to monitor this and action will be taken swiftly if this is identified.



6.3. The four cases (down from five in the previous year) where patient safety issues were identified were immediately raised to the Chief Nurse and Medical Director. Investigations were commissioned from appropriately trained staff and a range of actions were identified including additional training and support for individuals, and enhanced processes to further reduce the risk of harm to patients.

6.4. An analysis by division demonstrates the following. This includes concerns per 1,000 FTE to allow for a more accurate comparison and as requested by the Senior Leadership Team:

<b>Division</b>	<b>Number of concerns</b>	<b>Concerns per 1,000 FTE</b>
Diagnostics & Therapies	2	1.87
Medicine	8	6.62
Specialised Services	6	5.84
Surgery	20	11.53
Trust Services	17	11.02
Women's & Children's	2	0.97

6.5. The majority of concerns have been raised from the Surgery Division and Trust Services. Within Trust Services the majority of concerns were raised by Estates and Facilities staff.

6.6. Concerns continue to be raised by all staff groups, but the majority are being raised by Administrative and Clerical staff and Nurses:

<b>Profession</b>	<b>Number of concerns</b>
Administrative/clerical staff	29
Allied Healthcare Professionals	3
Cleaning/Catering/Maintenance/Ancillary staff	4
Dentists	5
Doctors	3
Nurses	11

6.7. In all cases, where an investigator was appointed the Guardian ensured they were not conflicted and could apply objectivity to their review. The Guardian met with the investigators after they had completed their investigation to test the robustness of their approach and suggest any further areas for consideration. Where appropriate external investigations have been commissioned, particularly where there was a need for an independent and expert consideration of the concerns raised.

## 7. Benchmarking

7.1. The national data is summarised below for 2018/19 and the first three quarters of 2019/20:

	2018/19	2019/20		
		Q1	Q2	Q3
<b>Total Cases</b>	12,244	3,173	3,486	4,120
<b>Element of Patient Safety</b>	3,523	774	846	915
<b>Element of Bullying and Harassment</b>	4,969	1,230	1,246	1,496
<b>Suffered Detriment</b>	564	116	127	147
<b>Anonymous</b>	1,491	439	455	469

7.2. The following should be noted from a comparison of the Trust data with the national data:

- The trends described, particularly the increase in the number of concerns, in the Trust data broadly mirror the increases seen nationally
- The Guardian has not received any anonymous concerns
- The proportion of concerns relating to patient safety are significantly lower in the Trust
- No one was reported suffering a detriment as a result of speaking up.

7.3. In 2018/19 nurses (30%) raised the most concerns of any staff group nationally. In the Trust, the majority of concerns were raised by Admin and Clerical staff. This is possibly due to the communications channels that have so far been utilised which are more likely to target staff with regular access to their PCs.

## 8. Summary of Learning from Speaking Up

8.1. The majority of the 55 concerns raised have resulted in learning for the Trust. A summary of this learning is described below:

- Managers need to be visible to their teams, be open to listening to issues and communicate where action can and cannot be taken.
- New roles need to be promoted widely to ensure fair access to opportunities as these arise.
- Reminder to ensure that booking staff do not make clinical decisions and have appropriate access to clinical staff to support decisions on the reprioritisation of patients
- Staff are now reminded that during procurement processes they need to be aware of how meetings with the incumbent supplier may be perceived and could be seen to be influencing the procurement process. All meetings with suppliers during this period should involve the procurement team to ensure no breaches to procurement rules.
- Staff should always raise an incident for actual and near miss incidents.
- Improved communications about how decisions are taken which affect groups of staff differently and the rationale behind these decisions. This is to ensure that staff do not feel they are being treated unfairly.
- Reminder that confidential information should not be communicated in public spaces.



- Managers should hold regular team meetings to ensure staff are aware of local changes and issues, as well as wider divisional and Trust changes which may affect them.
  - That managers should apply policies fairly and consistently.
- 8.2. There is a theme throughout a large number of concerns that the key to making a step change to improve the culture within the Trust is to ensure that all managers and leaders live by, and operate to, the Trust’s values and behaviours.
- 8.3. Whether they are appointed through a values based interview, or are mandated to attend a Trust leadership and development programme, the Trust should work to ensure that everyone in a management or leadership role understands what is expected of them and are then held to account for meeting these values and behaviours. This links with the third objective of the Freedom to Speak Up Strategy in ensuring leaders and managers understand their own behaviours and deal effectively with concerns.

## 9. National Staff Survey Results 2019

9.1. The national staff survey includes indicators which directly link to the FTSU programme. The results demonstrate positive improvement in the majority of the indicators with the exception of question 18a, which showed a slight decline: “If you were concerned about unsafe clinical practice you would know how to report it”.

Questions related to raising concerns	2015	2016	2017	2018	2019	All Trusts Average
<b>% agreeing / strongly agreeing with the following statements:</b>						
“My organisation treats staff involved in an error, near miss or incident fairly” (17a)	53.5	57.7	57.4	64	<b>65.8</b>	59.6
“My organisation encourages us to report errors, near misses, incidents” (17b)	86.9	88.4	88.7	89.3	<b>90.7</b>	88.2
“If you were concerned about unsafe clinical practice you would know how to report it” (18a)	92.1	92.8	93.3	94.3	<b>93.8</b>	94.2
“I would feel secure raising concerns about unsafe clinical practice” (18b)	64.7	67	67.5	71.7	<b>72.7</b>	70.4
“When errors, near misses or incidents are reported, my organisation takes action to ensure they do not happen again”	66.8	70.6	71.1	74.6	<b>74.9</b>	70.2
“I am confident that the organisation would address my concern”	52.7	56.3	57.5	61.4	<b>63.3</b>	57.7

9.2. However the results do indicate that there is still work to do in relation to the following areas, particularly as we move forward as a merged organisation:

- Staff feeling they will be treated fairly if involved in an error, near miss or incident
- Staff feeling secure about raising concerns about unsafe clinical practice
- Staff confidence that the organisation will take action to make sure the error, near miss or incident does not occur again
- Staff feeling confident that the organisation would address their concerns.

- 9.3. The FTSU Strategy and the action which described the development of a more coordinated approach to all areas which encourage an open culture will support improvement in these areas. However without managers seeing the benefit of and therefore encouraging and supporting their teams to raise concerns, we will not see the necessary improvements.
- 9.4. The Board should also be aware that the staff survey scores for WAHT have traditionally been lower than for UH Bristol and therefore the 2020 results will likely change as a result of the merger.

## **10. Freedom to Speak Up Index Report 2019**

- 10.1. As previously reported to the Board, the Trust achieved a FTSU index score of 79%. The FTSU index was calculated as the mean average of responses to four questions from the NHS Annual Staff Survey. The survey questions that have been used to make up the FTSU index are:
- % of staff responded "agreeing" or "strongly agreeing" that their organisation treats staff who are involved in an error, near miss or incident fairly (question 17a)
  - % of staff responded "agreeing" or "strongly agreeing" that their organisation encourages them to report errors, near misses or incidents (question 17b)
  - % of staff responded "agreeing" or "strongly agreeing" that if they were concerned about unsafe clinical practice, they would know how to report it (question 18a)
  - % of staff responded "agreeing" or "strongly agreeing" that they would feel secure raising concerns about unsafe clinical practice (question 18b)
- 10.2. The best Trust, Cambridgeshire Community Services NHS Trust, achieved a score of 87%.
- 10.3. To increase the overall score the Trust should consider focusing on the way in which staff feel they are treated when raising concerns and ensuring staff feel confident and secure when speaking up.

## **11. Recommendations**

- 11.1. The Board is asked to:
- Note the Freedom to Speak Up Annual Report 2019/20
  - Seek further assurance, via the People Committee, that there are structures and a coordinated approach in place to support cultural change across the Trust, that will address the identified gaps around management and leadership training and which will drive improvement in the staff survey results.

**Eric Sanders**  
**Freedom to Speak Up Guardian**

**Appendix 1 – Progress against the Freedom to Speak Up Strategy**

	Data 2019/20	Description of changes in year and proposed areas of focus																																				
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<p>Consistently high compliance for corporate induction training (and local induction)</p>	<table border="1"> <thead> <tr> <th colspan="2">June 2019</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Induction</td> <td></td> <td>98%</td> </tr> <tr> <td>Staff Local Induction Workbook</td> <td></td> <td>60%</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="2">September 2019</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Induction</td> <td></td> <td>99%</td> </tr> <tr> <td>Staff Local Induction Workbook</td> <td></td> <td>64%</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="2">December 2019</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Induction</td> <td></td> <td>99%</td> </tr> <tr> <td>Staff Local Induction Workbook</td> <td></td> <td>73%</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="2">March 2020</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>Induction</td> <td></td> <td>99%</td> </tr> <tr> <td>Staff Local Induction Workbook</td> <td></td> <td>74%</td> </tr> </tbody> </table>	June 2019		Rate	Induction		98%	Staff Local Induction Workbook		60%	September 2019		Rate	Induction		99%	Staff Local Induction Workbook		64%	December 2019		Rate	Induction		99%	Staff Local Induction Workbook		73%	March 2020		Rate	Induction		99%	Staff Local Induction Workbook		74%	<p>A FTSU video was developed and was included in corporate induction from November 2019. Inclusion in medical induction needs to be confirmed from August 2020.</p> <p>Further work with the recruitment and HR teams to ensure that awareness around speaking up is included in local induction and to increase local induction rates.</p>
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<p>Number and type of updates to staff and other workers in the Trust about speaking up</p>	<p>Regular 'meet the advocate' case studies in Newsbeat. Voices April 2019; Divisional newsletters; Focus in October for National Speak Up month included walkarounds, drop in sessions, briefings and a Schwartz Round on the theme of 'When I spoke up'.</p> <table border="1"> <thead> <tr> <th colspan="2">Guardian presentations in year</th> </tr> </thead> <tbody> <tr> <td>Obs &amp; gynae team, STMH</td> <td>07/05/2019</td> </tr> <tr> <td>Nurse Preceptorship</td> <td>27/06/2019</td> </tr> <tr> <td>Divisional Board Medicine</td> <td>31/10/2019</td> </tr> <tr> <td>BEH Theatre staff</td> <td>25/10/2019</td> </tr> <tr> <td>STMH leadership team</td> <td>24/10/2019</td> </tr> <tr> <td>Heads of Service D&amp;T</td> <td>24/10/2019</td> </tr> </tbody> </table>	Guardian presentations in year		Obs & gynae team, STMH	07/05/2019	Nurse Preceptorship	27/06/2019	Divisional Board Medicine	31/10/2019	BEH Theatre staff	25/10/2019	STMH leadership team	24/10/2019	Heads of Service D&T	24/10/2019	<p>Increase in the number of Guardian and Advocate presentations: 24 in 2019/20 up from 9 in 2018/19</p> <p>Further resources developed to support Advocates undertaking briefings; utilised National Speak Up month in October to generate interest in speaking up.</p> <p>Objective for this year to include more regular quarterly updates on number and themes of concerns (post Board reporting) alongside other updates. Also need to find a more structured way of talking to different teams and departments.</p>																						
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Response to annual 'snapshot' survey relating to awareness of Speaking Up (targeted also to volunteers, agency workers, students and trainees)	Inaugural survey June 2019 – 57 responses to awareness of FTSU – 80% (note survey distributed online only via Newsbeat). Further survey undertaken as part of the internal audit undertaken through the year.	Survey to be repeated in 2020 with a more focused communications drive to improve the response rate.																																				
Number and location of Freedom to Speak Up staff advocates across the Trust	<table border="1"> <tr><td>51</td></tr> <tr><td>Trust Services</td><td>17</td></tr> <tr><td>Women's and Children's</td><td>10</td></tr> <tr><td>Specialised Services</td><td>9</td></tr> </table>	51	Trust Services	17	Women's and Children's	10	Specialised Services	9	Increase of 21 since April 2019. Objective for this year to recruit advocates within Weston division and increase number of clinical advocates.																													
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Number of cases raised through the Raising Concerns phone line, email address and Datix	55	Increase from 32 concerns in 2018/19														
Number of case studies completed and shared	0	Objective for this year to develop and share case studies														
Response to question in annual 'snapshot' survey relating to confidence in Speaking Up	Inaugural survey June 2019 – 51 responses to confident in raising concerns with line manager/supervisor – 67% (online responses only)	As above.														
Timelines for cases from date raised to date closed	Data not monitored in year. Cases are all unique and timelines are dependent on the circumstances. For information timelines for concerns being resolved have varied between 1 day and over 1 year.	Further work to be undertaken to ensure timelines can be more accurately monitored.														
Feedback from those who have raised concerns (i.e. whether they would speak up again)	Of the 39 cases closed during the year, 27 said they would speak up again, 1 said they would not and 1 did not respond when asked.	More detailed survey developed to support feedback on the process.														
<b>Supporting leaders and managers</b>																
Take up of management (behaviours) training by division	<p>678 total participants on 14 leadership modules</p> <table border="1"> <tr> <td>Trust Services</td> <td>162</td> </tr> <tr> <td>Women's &amp; Children's</td> <td>127</td> </tr> <tr> <td>Diagnostics &amp; Therapies</td> <td>107</td> </tr> <tr> <td>Surgery</td> <td>106</td> </tr> <tr> <td>Medicine</td> <td>74</td> </tr> <tr> <td>Specialised Services</td> <td>61</td> </tr> <tr> <td>Estates and Facilities</td> <td>41</td> </tr> </table>	Trust Services	162	Women's & Children's	127	Diagnostics & Therapies	107	Surgery	106	Medicine	74	Specialised Services	61	Estates and Facilities	41	<p>Further work required to support improvement in the uptake of the courses and to ensure the courses fit with the Trust's expectations around leadership and management styles and approaches.</p> <p>Note that quite a few of those numbers will be double ups as programmes with day 1 and day 2 elements are counted as individual attendances.</p>
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Prevalence of 'hot spot' areas identified through Happy App data and annual Staff Survey	Not yet formally completed. Some work undertaken as a direct result of issues identified through concerns, coupled with data from HR, Happy App and information from Employee Services.	More robust approach to be developed to ensure a coordinated approach, which is evidence and data driven. See main report for more details.														