

UNIVERSITY HOSPITALS BIRMINGHAM NHS FOUNDATION TRUST

BOARD OF DIRECTORS

THURSDAY 23 JULY 2020

Title:	Freedom to Speak Up Guardian (FTSUG) Report Jan 1st – June 15th 2020 (Q4 + Q1 FY)
Responsible Director:	David Burbridge, Chief Legal Officer
Contacts:	<ul style="list-style-type: none"> • Professor Julian Bion, Freedom To Speak Up Guardian • Mrs Sarah Favell, Director of Corporate Affairs • Dr Catriona McMahon, Non-Executive Director
Purpose:	To provide an update on Speaking Up activity and to inform the Board about national initiatives relating to raising concerns.
Confidentiality Level & Reason:	Open
Board Assurance Framework Ref: / Strategy Implementation Plan Ref:	N/A
Key Issues Summary:	<ol style="list-style-type: none"> 1. Effective speaking up arrangements help to protect patients and improve the experience of NHS staff raising concerns. A culture which encourages openness and active reporting of concerns is an indicator of a well-led Trust and a reflective learning organisation. 2. The coronavirus pandemic has affected the nature of concerns being raised with the FTSUG and the 31 FTSU-Confidential Contacts (CCs). Since Jan 1st 2020, the FTSUG & CCs have received contacts from 37 individuals; 22 were received following lockdown on March 23rd. Anonymised summary information is provided in the table for consideration by the Board. 3. The Trust’s telephone staff support service has been a welcome innovation and the Guardian and CCs would like to maintain this on a rota basis. The Well-being Hubs have also proven to be extensively utilised and helpful. From a FTSU perspective we commend the Trust for these initiative and suggest that they are worth retaining long-term. 4. During Q2-3 the Trust needs to complete the Speaking Up self-assessment tool (a requirement of NHSI and the National Guardian’s Office). 5. Staff induction training on speaking up will need to be modified in accordance with the move to remote / electronic meetings.
Recommendations:	<p>The Board of Directors is asked to:</p> <ol style="list-style-type: none"> 1. Note and comment on the contents of this report.
Approved by: David Burbridge	Date: June 16 th 2020

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Freedom To Speak Up Guardian

1. INTRODUCTION AND BACKGROUND

- 1.1. This report provides an update on activity by and recommendations from the Trust's Freedom to Speak Up Guardian (FTSUG) during Q4 (Jan-March 2020) and Q1 (April – June 2020).
- 1.2. The role specification set by the National Guardian's Office includes:
 - 1.2.1. Ensuring that staff are empowered and encouraged to speak up safely by providing a route independent of existing incident reporting and human resources processes.
 - 1.2.2. Ensuring that necessary investigations are undertaken and that staff who raise concerns are treated fairly.
 - 1.2.3. Working with the Executive Team and the Board in an independent capacity, reporting concerns and providing challenge where appropriate.
 - 1.2.4. Promoting an organisational culture of reflective learning.

2. NATIONAL MONITORING & BENCHMARKING

- 2.1. The Care Quality Commission (CQC) assesses a Trust's speaking up culture during inspections under key line of enquiry 3 (KLOE 3) as part of the 'well-led' question. The guidance issued by NHSI and the National Guardian's Office is aligned with the good practice set out in the well-led framework. CQC visits will include an assessment of whether Trusts can demonstrate that speaking up is embedded in organisational culture, and how this is manifest. The Self-Assessment document should be viewed from this perspective.
- 2.2. Monitoring of impact of Speaking Up: The results of the [national survey](#) can be obtained from the National Guardian's website and [individual Trust data](#) are presented as an Index based on the NHS staff survey.

3. NATIONAL GUARDIAN'S OFFICE

- 3.1. The National Guardian, Dr Henrietta Hughes OBE, has [written](#) to Trust CEOs to seek their active support for Black, Asian and Minority Ethnic (BAME) groups to ensure that their voices are heard given the disproportionate impact of the coronavirus pandemic on these groups.

4. FTSU ACTIVITIES AT UHB

- 4.1. During the height of the pandemic the Guardian deferred the quarterly meetings with the Trust leadership, substituting direct contact for issues which could not be resolved at Divisional level.
- 4.2. The FTSUG and CCs continue to meet quarterly, substituting videoconferencing for physical meetings. Our focus is on supporting the Trust's values and promoting openness and critical reflection, helping staff to deliver high quality patient care.

- 4.3. At the last quarterly meeting on June 8th, three of the CCs spoke very movingly about the impact of the the 'Black Lives Matter' movement. Adverse experiences started in childhood, often expressed in transient attitudes and behaviours and later in covert or overt forms of discrimination in access to jobs, promotions and life opportunities. Restitution is needed at two levels – the macro-approach to equality of opportunity; and the micro-level of interpersonal interactions. The aphorism attributed to Maya Angelou is relevant: *"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel."*
- 4.4. Visibility: the Guardian and CCs have participated in the Trust's staff telephone support service and the Wellbeing Hubs. These have been conspicuously useful: 365 staff have used these services. The Chaplaincy and clinical psychologists have been essential contributors and have provided important insights to the FTSU service which we have transmitted to the Trust leadership. The themes identified are listed in **Table 1**; the data were prepared by Amy Passey, Head of Staff Experience.

5. CONCERNS RAISED TO THE FREEDOM TO SPEAK UP GUARDIAN & CCS, JAN 1ST – JUNE 15TH 2019

- 5.1. These are summarised in **Table 2**. During Quarter 4 (Jan 1st to mid-March 2020), 15 individuals contacted the Guardian or the CCs. Following 'lockdown' on March 23rd, 22 contacts were received, mostly but not exclusively related to aspects of working in the extraordinary circumstances of the surge and early descalation phase. The Trust had established Well-being Hubs and a staff telephone support service to which the FTSUG and Confidential Contacts contributed, and this received 356 contacts during this period (**Table 1**). In addition the Chaplaincy and Clinical Psychology also provided a crucial service supporting staff mental and spiritual health.
- 5.2. One concern has been raised anonymously. Most concerns have been, or are being, addressed either via an investigation by the appropriate senior manager, by the relevant governance team, through external investigation, or by implementing the relevant Human Resources (HR) process. Contacts from previous quarters continue to be monitored by the Guardian until a conclusion is reached.
- 5.3. The Guardian will describe some of the issues raised (non-identifiably) during the Board meeting, but wishes to highlight one particular issue which has already been addressed though the CEO and Chair of the Trust Board. Significant concerns are being expressed by staff primarily at Heartlands and Solihull about service reconfigurations and being 'repurposed' (the term itself causing offence) without adequate involvement or communication. The view was that these changes were being introduced under the 'cover' of the pandemic. Greater visibility of the Trust leadership and consultation with staff would help, steps which have now been planned and instituted.

6. RECOMMENDATIONS: THE BOARD IS INVITED TO

- 6.1. Note the themes from Speaking Up contacts and consider how reflective learning and empathy may be promoted across the organisation.

Table 2: Themes from contacts using the Phone Support Service and Wellbeing Hubs during lockdown
(courtesy of Amy Passey, Head of Staff Experience)

Themes	N
Personal wellbeing	76
Positive support & actions	42
Personal safety	40
Repurposing	40
Anxiety, stress, fear	32
Death and dying	31
Uncertainty & change	29
Next stage / Post Covid	14
Concerns about standards of care	12
Guilt and shame	11
Communication	9
How we are being managed / flexible working	9
Feeling forgotten / not good enough	7
Frustration and anger	3
Being conduit between family and patient	1
Total	356

Table 1: FTSU CONTACTS JANUARY 1ST TO JUNE 17TH 2020

	Period	Jan- March	March-June
Contacts' professional group:			
• Consultants	8		2 (+1 external)
• Junior doctors	-		4
• Nurses:	1		-
• Clinical Nurse Specialist:	1		1
• Managerial/support staff:	2		1
• Admin/clerical/secretarial	2		1
• Catering	1		1
• Not recorded	-		10 (via Well-being hubs)
• Anonymous	-		1
	Subtotal	15	22
Allegations or Issues (may be >1):			
• Disparaging or disrespectful behaviours	10		1
• Discrimination, racism	1		2
• Dysfunctional relationships, cliques	3		1
• Unfair treatment	4		1
• PPE & personal safety	-		4
• Probity	-		1
• Redeployment ('repurposing') & Comms	0		14
Routes to resolution/outcome:			
• Line manager informed	13		18
• Resolved by contact without further help			3
• Fear of detriment hampered resolution	2		2
• Did not wish to proceed	1		-