

January 2018

Freedom to Speak Up News

News from Dr Henrietta Hughes



From left to right: Karole Smith, Freedom to Speak Up Guardian, The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust, Dr Henrietta Hughes, Helen Martin, Freedom to Speak Up Guardian, The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust.

As we begin 2018, I have been reflecting on how far my office has come over the last year. We held our first event when I took up post in 2016 and it was very exciting to bring Freedom to Speak Up Guardians together from across the country. Last autumn, I was delighted to see so many guardians, champions and ambassadors at the 2017 Freedom to Speak Up Guardians' Day in October. This was an excellent opportunity for guardians to network, share best practice, attend training workshops and hear from the Minister of State for Health, Philip Dunne MP, and other speakers. Now, as we begin the New Year, it is fantastic to see how much the guardians have achieved, not only in trusts but also in the regional and national networks.

I have really enjoyed visiting Freedom to Speak Up Guardians at regional meetings and on trust visits. I've had the chance to learn about how their roles have been implemented, as well as hearing from frontline and senior staff. I was also honoured

to address NHS leaders at The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust's leadership event in September.

I marked my first year as National Guardian for the NHS with the publication of the National Guardian's Office Annual Report 2017, highlighting the work of Freedom to Speak Up Guardians. I presented this to the Boards of NHS England, NHS Improvement and the Care Quality Commission in November.

At the same time, we also published the first case review about the speaking up culture, processes and policies at Southport and Ormskirk Hospital NHS Trust and I would encourage you to share the recommendations and disseminate this learning in your trust or organisation.

We have further case reviews in progress and planned and will publish these over the coming months as we progress with our pilot case review process.

Following the first Freedom to Speak Up Guardian Survey I have also published a set of ten principles for the guardian role and would encourage leaders to reflect on these when implementing the role within their organisations. It is so important that guardians have sufficient time, access and support to be effective in their role.

With guardians in every trust and 90% supplying speaking up data, we have been able to broaden the scope of our work by growing our Pan Sector Network to hear how other industries are approaching speaking up and developing open and transparent cultures. We have also held the first meeting of our Advisory Working Group. The group will help us incorporate the views of a wide range of health organisations and individuals including people with poor experience after speaking up.

We also held the first Arms'-length body guardians network meeting. This past year has seen some great partnership working and innovations which allow guardians to learn from each other and gain the skills, knowledge and support to continue with this important work. Guardians, champions and ambassadors are having a positive impact on the thousands of workers who have raised issues knowing that the right actions will be taken as a result.

I would like to thank my team, guardians, champions and ambassadors across the country, those who support them and everyone across the NHS who has spoken up to improve the lives of NHS workers and the quality of patient care.

Dr Henrietta Hughes, the National Guardian for the NHS

National Guardian for the NHS calls for action on speaking up



Dr Hughes addresses Freedom to Speak Up Guardians, champions and ambassadors at the 2017 Freedom to Speak Up Guardians' Day.

Dr Henrietta Hughes has published a set of recommendations following concerns raised by staff about the speaking up culture at Southport and Ormskirk Hospital NHS Trust.

A case review carried out in August and September identified failures to act appropriately on multiple and serious allegations and a number of wide-ranging issues that represented significant barriers to speaking up. These included a culture of bullying and alleged discriminatory behaviour.

As a result of the review, the National Guardian's Office has made 22 recommendations for the trust and one for the Care Quality Commission, and encourages all organisations to reflect on these and apply the learning to their own cultures and processes.

Karen Jackson, interim Chief Executive, Southport & Ormskirk Hospital NHS Trust said, "We were pleased to be able to work with the National Guardian's Office to review how speaking up is, and has been, handled by the trust. We encouraged staff from across the trust to take part and they raised a range of concerns. Most of these concerns went back a good number of years.

She said, "The trust now has a new senior management team in place. The learning from the review is a welcome and helpful addition to the robust action plan we have

in place to ensure that speaking up is seen as a way to make improvements for our staff and for our patients.”

The recommendations for Southport and Ormskirk Hospital NHS Trust and the Care Quality Commission are not intended to criticise, but instead to support improvement.

Further case reviews will shortly be announced by the National Guardian's Office.

More time to be invested in Freedom to Speak Up Guardians



Carol Love-Mecrow (left), Freedom to Speak Up Guardian, The Dudley Group NHS Foundation Trust.

More time should be invested in the Freedom to Speak Up Guardian role, to support NHS workers to speak up and raise concerns.

In September, Dr Henrietta Hughes published a set of recommendations for trust leaders based on the findings of a survey of guardians, champions and ambassadors.

The recommendations for the role include:

- Ring-fenced time to enable guardians properly to meet the needs of workers
- All workers, particularly the most vulnerable, should have effective routes to enable them to speak up

- Boards need to hear regularly from their guardian, in person.

The survey reveals some positive trends, including:

- Nearly 9 out of 10 respondents are communicating their role internally
- Over 8 out of 10 respondents feel supported by their senior management teams and chief executives, with only 3 in 100 feeling that they don't get this support
- 7 out of 10 respondents say that their organisations are actively tackling barriers to speaking up.

Dr Hughes said, "Speaking up protects patients and improves the lives of NHS staff. Freedom to Speak Up Guardians provide an additional route for staff to raise issues, and support staff to do this every day. However, they need sufficient time to support those speaking up. NHS leaders should provide that time as an investment in their staff.

She said, "Our survey shows that great strides are being made in speaking up, but the picture is not consistent and there is still more to be done. If applied, the recommendations I have made will help improve the consistency and quality of support for speaking up in all trusts."

National Guardian's Office welcomes ruling on employment tribunal fees

The National Guardian's Office welcomes [the ruling by the Supreme Court](#) that fees imposed in 2013 to bring a case at employment tribunal are unlawful.

Ensuring that workers have access to justice when they believe they have suffered detriment during their employment is fundamental to both a fair legal system and a positive speaking up culture in the workplace.

Government statistics showed that, since the imposition of the fees, the number of cases brought to employment tribunal had dropped by 79%.

Our view that court fees should not restrict workers' access to justice is also reflected in our response to the government's consultation on protected disclosure regulations.

Yorks and Humber region

Working in partnership to stop fraud and protect patients



Dr Judith Graham (top-left) with Dr Hughes.

At Rotherham, Doncaster and South Humber NHS Foundation Trust someone spoke up about potential fraud and misuse of clinical time and equipment.

The trust's Freedom to Speak Up Guardian, Dr Judith Graham, raised the issue with the counter-fraud specialists. This led to linking in with the trust's counter-fraud specialist, Amanda Smith, for advice and discussion.

Whilst a serious issue was not identified, by working together, it revealed the need for a review of the trust's Freedom to Speak Up policy and for further training on fraud.

Dr Judith Graham, Freedom to Speak Up Guardian for Rotherham, Doncaster and South Humber NHS Foundation Trust, said, "This has improved the visibility of both Freedom to Speak Up and fraud. It enabled people to understand the connections between different strands which champion staff and patient safety and enabled cross agency formulation of problems and solutions."

The training package was very well received at Rotherham, Doncaster and South Humber NHS Foundation Trust and was repeated within their Yorks and Humber regional meeting in September 2017.

Top tips for guardians on potential fraud:

1. Check the links are made to fraud in your speaking up policy
2. When promoting Freedom to Speak Up think about raising the profile of your fraud team too.
3. Consider at what stage, when a Freedom to Speak Up concern is raised, that you need to involve the support of fraud experts.
4. Ask your counter-fraud specialists to provide short bespoke training events to your local Freedom to Speak Up network.

Dr Judith Graham – Freedom to Speak Up Guardian, Rotherham Doncaster and South Humber NHS Foundation Trust

Amanda Smith – Anti-Crime Specialist, Rotherham Doncaster and South Humber NHS Foundation Trust

Gary Roe – Anti-Crime Team Manager, Rotherham Doncaster and South Humber NHS Foundation Trust

For further information please contact Dr Judith Graham at judith.graham@rdash.nhs.uk or on **01302 796342**.

Thames Valley/Wessex region

Making a difference to the podiatry service in Oxford



Mike Foster, Freedom to Speak Up Guardian, Oxford Health NHS Foundation Trust.

“This is a dramatic improvement from the time when I first contacted you”, the podiatrist told Mike Foster, Freedom to Speak Up Guardian for Oxford Health NHS Foundation Trust and regional lead for Thames Valley and Wessex region.

Podiatrists had spoken up about the fact the service level activity figures for podiatry did not reflect the local picture in their area and that their patients had to wait much longer to be seen.

By bringing this matter to the attention of the Directorate, the guardian was able to affect real change.

The Directorate took this concern seriously, looked at the activity data in more detail and confirmed that the observation of the podiatrist was correct. As a result additional capacity was put in place and extra chairs were commissioned to reduce patient waiting times.

Mike Foster said, “This is an important issue as the financial and resource pressures that the NHS is experiencing are unlikely to be alleviated in the foreseeable future and there will be a more critical period when we will be challenged to justify our roles and demonstrate value for money.”

He said, “This will be particularly so if we are seeking to expand the service we provide in our organisations. We will need to start by being able to say what we do and what we achieve with clarity and consistency.”

This service improvement happened as a result of the concern being raised with Mike Foster and demonstrated that speaking up to a guardian can have a positive impact on patient experience and safety.

For further information, please contact Mike Foster on at mike.foster@oxfordhealth.nhs.uk or on **07779 036 705**.

News from partner organisations

Tackling fatigue in a tertiary centre Anaesthetics department by speaking up and listening



From right to left: Lucy Powell, Henrietta Dawson and Claire Woods.

Speaking up is important even when a Freedom to Speak Up Guardian is not involved.

Consultants at the Association of Anaesthetists of Great Britain and Ireland (AAGBI) undertook a quality improvement project to reduce the impact of fatigue amongst trainee anaesthetists at the Royal Victoria Infirmary in Newcastle.

On speaking to trainees, they became aware that their main concern was not the high work intensity, but the lack of rest facilities, both during shifts and post night shift.

After some negotiations the Royal Victoria Infirmary now has rest facilities close to the clinical area, with better access to bedrooms for trainees too tired to drive home post night shift.

Trainees held a focus group to see how they could raise awareness of the risks around fatigue, poor team working and individuals driving home tired. Further action has been taken to address all of these areas.

Lessons learned:

- Listening to our trainees really was key. Our trainee reps fed back an honest view of where they were resting at night. Some of their answers surprised us!
- They came up with their own innovative solutions. Our role as seniors was to facilitate. Imposed solutions didn't work.
- We are starting to see some early signs of cultural change; nursing staff discussing fatigue in the coffee room, trainees challenging their consultant during a 3am emergency case about coming into work the following morning.

Dr Henrietta Dawson - Consultant Anaesthetist and College Tutor, the Association of Anaesthetists of Great Britain and Ireland

Claire Woods - Consultant Anaesthetist, the Association of Anaesthetists of Great Britain and Ireland

Nancy Redfern - Consultant Anaesthetist, the Association of Anaesthetists of Great Britain and Ireland

Lucy Powell - Anaesthetic Registrar, the Association of Anaesthetists of Great Britain and Ireland

If you would like to share a story in our newsletter, please contact us on enquiries@nationalguardianoffice.org.uk