

**Response to Health Education England's  
consultation ('Facing the Facts, Shaping the  
Future') on the development of a health and  
care workforce strategy for England**

## **Our people making the greatest difference**

*Do you have any comments on how we can ensure that our NHS staff make the greatest possible difference to delivering excellent care for people in England?*

The National Guardian's Office (NGO) provides leadership, support and guidance on speaking up in the NHS, and was set up in response to recommendations made in Sir Robert Francis' 'Freedom to Speak Up' review. It supports and guides a network of Freedom to Speak Up Guardians and reviews cases where good practice in speaking up appears not to have been met.

The NGO is an independent body, sponsored by NHS Improvement, NHS England and the Care Quality Commission.

We welcome the opportunity to be able to contribute to this important consultation.

Five years after the publication of the Mid Staffordshire NHS Foundation Trust Public Inquiry, we believe that it is crucial that the lessons from the Stafford Hospital scandal are not forgotten. This tragedy demonstrated particularly starkly the risks to patient safety and care when staff do not feel engaged and supported. Hundreds of patients died needlessly as a result of poor care over a period of 4 years at Stafford Hospital.

Many members of staff at the hospital had witnessed issues but did not speak up, perhaps because they thought it would be futile to say something or they were concerned about the repercussions for their own position. Workers who raised their head above the parapet faced serious consequences.

Therefore, we believe that one of the ways we can ensure that our NHS staff make the greatest possible difference to delivering excellent care is by making sure that staff are engaged and supported. This relationship between staff engagement and support, on the one hand, and patient outcome, on the other, is increasingly well established. West et al. found that staff engagement had many strong associations with staff absenteeism and turnover, better patient outcomes and better outcomes for organisations more generally. Please see here for this paper:

<https://www.kingsfund.org.uk/sites/default/files/employee-engagement-nhs-performance-west-dawson-leadership-review2012-paper.pdf>.

This powerful correlation is also evident in the results of our survey of Freedom to Speak Up Guardians in trusts across England. The survey found that, the greater the level of support a trust provided their staff to speak up (e.g. 'managers and senior leaders support staff to speak up'), the more likely it was that they were to be rated 'good' or 'outstanding' by the Care Quality Commission. Please see here for our survey:

[http://www.cqc.org.uk/sites/default/files/20170915\\_Freedom\\_to\\_Speak\\_Up\\_Guardian\\_Survey\\_2017.pdf](http://www.cqc.org.uk/sites/default/files/20170915_Freedom_to_Speak_Up_Guardian_Survey_2017.pdf).

Based on this evidence we would argue that staff engagement is a quality improvement activity that positively impacts on the care of patients. Consequently, we propose that organisations should view it as such as a way to ensure that our NHS staff make the greatest possible difference to delivering excellent care.

### **Being a modern, model employer**

*What does being a modern, model employer mean to you and how can we ensure the NHS meets those ambitions?*

The National Guardian's Office contend that a modern, model employer is one that lives the principles of the Francis review into Freedom to Speak Up in the NHS.

The Francis review sets out 20 principles and actions which aim to create the right conditions for NHS staff to speak up. Please follow this link to access the report into this review: [http://freedomtospeakup.org.uk/wp-content/uploads/2014/07/F2SU\\_web.pdf](http://freedomtospeakup.org.uk/wp-content/uploads/2014/07/F2SU_web.pdf).

In particular, we would highlight principles 3 and 4, which concern a culture free from bullying and a culture of visible leadership.

Sadly, bullying is a serious issue across the NHS. According to the 2016 NHS staff survey, one in four NHS staff reported being bullied. Please follow this link to read about these results: <http://www.nhsemployers.org/your-workforce/retain-and-improve/staff-experience/tackling-bullying-in-the-nhs>. It appears that this reality has not significantly changed in the latest survey results.

The existence of this problem is further evidenced by the number of concerns raised about bullying and harassment with Freedom to Speak Up Guardians. Throughout Q1-3 of 2017/18, 4,654 cases were raised to Freedom to Speak Up Guardians. Of these, 2,042 (or 44%) included elements of bullying and harassment. Please see here for further information: <http://www.cqc.org.uk/national-guardians-office/content/speaking-data>.

The Francis review commented that "freedom to speak up about concerns depends on staff being able to work in a culture which is free from bullying and other oppressive behaviours". It is not only the individual being bullied who suffers from such behaviour. If the bullying deters individuals from speaking up, then patients and the public more generally also suffer.

Civility Saves Lives also make this point that respect, professional courtesy and valuing each other matter, not only because incivility impacts on staff, but because they reduce errors, reduce stress and foster excellence. Please see here for their website: <https://www.civilitysaveslives.com/>.

In addition to taking meaningful action to create a culture free from bullying, we contend that modern, model employers must champion a culture of visible leadership.

Visible leadership engenders confidence amongst staff that their leaders value their views and, should they speak up, their leaders will respond.

Recognising the importance of visible leadership, we recommended in our case review of the speaking up policies, procedures and cultures in Southport & Ormskirk NHS Trust that the organisation's leaders take appropriate steps to ensure that they are visible and accessible to all workers.

Health Education England can help the NHS organisations become modern, model employers by incorporating the Francis principles into its assessment of the suitability of a training and education provider.

### **Widening participation in health and care jobs**

*How can we better ensure the health system meets the needs and aspirations of all communities in England?*

In his review of speaking up in the NHS, Sir Robert Francis recognised that certain groups were potentially more vulnerable when they speak up. This may be because of their contractual arrangements (e.g. trainees, agency and bank workers) or perhaps due to their protected characteristics (e.g. ethnicity and race). In particular, Sir Robert identified that black and minority ethnic staff may be more likely to suffer reprisal for speaking up.

That certain groups are potentially more vulnerable when speaking up may hinder the ability of the health system to meet the needs and aspirations of all communities. Staff from vulnerable groups may be less inclined to join or stay in the health workforce.

The National Guardian's Office would encourage health organisations to assess whether their speaking up arrangements and cultures meet the needs of all their workers. In particular, this assessment should consider which groups may be particularly vulnerable when speaking up and how the organisation can act to mitigate these vulnerabilities. We would add that this assessment to identify potentially vulnerable groups should be comprehensive to include visible and non-visible (e.g. class) characteristics.

By carrying out and acting on such an assessment, organisations may be in a better place to attract and retain staff from all backgrounds.

## **Attracting and securing staff**

*What measures are needed to secure the staff the system needs for the future; and how can actions already underway be made more effective?*

The National Guardian's Office believes that instilling a positive speaking up culture where staff feel valued is a potential way to secure the staff the system needs for the future. We know from anecdotal evidence the difference that valuing staff can make to staff retention. A particularly striking example of this is a student nurse who, when asked why she wanted to work in a trust after qualification, explained that her colleagues there knew her name, whereas staff in the other trusts she was placed in during her training referred to her as 'student'. This example demonstrates how something as simple as making the effort to know the name of colleagues can have an impact on how valued staff feel.

The Francis review recognised the importance of a culture of valuing staff in creating an environment where staff feel free to speak up. Organisations should demonstrate that they value staff who speak up, and promote the positive difference that speaking up is making to the organisation as an improvement activity.

It is important that, in addition to valuing staff, organisations also act on staff input. Where a member of staff speaks up, it's important that the issue they are bringing to light receives an appropriate response. If the issue is raised formally, there should be a timely, speedy, proportionate and impartial investigation to establish the facts, in line with principle 8 of the Francis review. A failure to take such action could deter current and prospective staff from joining the health workforce.

We contend that organisations should make full use of mediation to heal fractures in their workforce. This should be with the informed consent of all parties and should be delivered by those with appropriate mediation training.

Mediation can help re-establish trust between workers to reduce stress levels, absenteeism and turnover. If unattended, discord and distrust among staff can result in risks to service delivery including patient care and safety (e.g. due to stressed workers being more likely to make mistakes).

In order to attract and retain staff, it is important that organisations readily and proactively offer mediation to their workers.

## **Developing our people**

*How can we ensure the system more effectively trains, educates and invests in the new and current workforce?*

As mentioned elsewhere in the National Guardian's Office's response to this consultation, the role that leaders play is essential to developing an environment where staff feel encouraged and able to speak up.

The National Guardian's Office believes that to ensure the future and current workforce is effectively trained, educated and invested, staff should be trained on how to be leaders from the outset of their careers in health. This is particularly crucial in the NHS where a large portion of the workforce has some level of line management responsibility.

By offering leadership training early on, the system will better ensure that individuals are equipped to handle their responsibilities as managers.

This leadership training should include training on handling speaking up issues, difficult conversations, reflective practice, and offering and receiving feedback.

We would argue that training more generally is delivered as much as possible within multi-disciplinary teams. In our response to the government's consultation on the development of regulation for healthcare professionals, we spoke up about the risks posed by hierarchies and lack of communication between different professions and roles, and the risk this poses to patient care and staff wellbeing. Please see here for our response:

[http://www.cqc.org.uk/sites/default/files/20180125\\_ngo\\_response\\_to\\_government\\_consultation\\_on\\_the\\_development\\_of\\_regulation\\_for\\_healthcare\\_professionals.pdf](http://www.cqc.org.uk/sites/default/files/20180125_ngo_response_to_government_consultation_on_the_development_of_regulation_for_healthcare_professionals.pdf).

By delivering training, as appropriate, in multi-disciplinary teams, we may encourage staff to better appreciate the part that other professions and functions play in the delivery of excellent care, and reduce the barriers to staff speaking up.

## **Creating career paths**

*What more can be done to ensure all staff, starting from the lowest paid, see a valid and attractive career in the NHS, with identifiable paths and multiple points of entry and choice?*

An important starting point to ensure that all staff see a valid and attractive career in the NHS is transparent and fair recruitment processes.

We know that there are concerns regarding poor recruitment processes in the NHS. One of our recommendations in our first case review called on the trust to properly investigate concerns among staff about recruitment. Please see here for our case review report:

[http://www.cqc.org.uk/sites/default/files/20171115\\_ngo\\_southportormskirk.pdf](http://www.cqc.org.uk/sites/default/files/20171115_ngo_southportormskirk.pdf).

The transparent and open way organisations approach recruitment should be

reflected in their values. Organisations should embed and articulate these values to staff. According to research, this is important to attract and retain staff. Please see here: <https://www.theguardian.com/sustainable-business/2015/may/05/millennials-employment-employers-values-ethics-jobs>. These values should encourage an environment where workers feel valued and free and encouraged to speak up.

These values should also inform how an organisation manages its staff, right from the top to the most junior.

### **Any other issues or matters to consider**

*We propose the workforce strategy should contain six priorities. Are there any other issues or matters that the strategy must consider that are not picked up by these priorities? If so, what are they and how would you like the strategy to respond.*

In accordance with their standard contract with NHS England, all NHS trusts must appoint a Freedom to Speak Up Guardian, whose role is to provide support for workers to speak up.

There are currently 565 individuals in place as guardians across secondary care trusts in the NHS in England. As illustrated by our [National Guardian's Office] survey of guardians last year, these individuals come from a range of disciplines, roles and bands. Please see here for the results of our guardian survey:

[http://www.cqc.org.uk/sites/default/files/20170915\\_Freedom\\_to\\_Speak\\_Up\\_Guardian\\_Survey\\_2017.pdf](http://www.cqc.org.uk/sites/default/files/20170915_Freedom_to_Speak_Up_Guardian_Survey_2017.pdf).

The National Guardian's Office recently published its updated job description for guardians. Please see here for a link to this document:

[http://www.cqc.org.uk/sites/default/files/20180213\\_ngo\\_freedom\\_to\\_speak\\_up\\_guardian\\_jd\\_march2018\\_v5.pdf](http://www.cqc.org.uk/sites/default/files/20180213_ngo_freedom_to_speak_up_guardian_jd_march2018_v5.pdf).

This job description includes a set of values expected of all guardians. These are as follows:

- Courage ... speaking truthfully and challenging appropriately
- Impartiality ... remaining objective and unbiased
- Empathy ... listening well and acting with sensitivity
- Learning ... seeking and providing feedback and looking for opportunities to improve.

The National Guardian's Office would welcome consideration of incorporating these values into all aspects of the workforce strategy, including training and education of staff and recruiting the right individuals into the workforce.

The embedding of these values may help in the delivery of excellent care for service users, staff wellbeing as well as staff retention.