

News from Dr Henrietta Hughes



In the past quarter there have been significant changes in Freedom to Speak Up across England, with the [Government's response](#) to the Gosport Independent Panel Report and its continuing commitment to drive this cultural change. I have been asked to continue to champion workers speaking up through the network of Freedom to Speak Up Guardians, to publish an independent report to lay before Parliament identifying progress towards this goal, to showcase best practice, hold the Government and the system to account and advocate for change. Legislation is planned for all NHS trusts to include information about speaking up and actions taken in their quality accounts.

Our second [Annual Report](#) detailed the difference that Freedom to Speak Up Guardians are making to patient safety and the lives of NHS workers whilst our October Speak Up Month campaign increased the visibility of Freedom to Speak Up. However, our 2018 Freedom to Speak Up Guardian Survey showed that many guardians are still undertaking this difficult role without ring-fenced time. All organisations must assess and provide the resources guardians need as a commitment to their workforce.

In November, we published our fourth [case review report](#) that identified conflicts of interest as a barrier to speaking up. In the trust, only one of the 9,000 staff had signed a conflicts of interest declaration. We recommend that all organisations identify potential conflicts of interest and ensure these are mitigated. Our [case review report](#), published in December, identified that settlement agreements can suppress speaking up about patient safety. The wording can be so opaque that people don't believe that they have the right to speak up, or are fearful to do so. With NHS Employers, NHS England, NHS Improvement and DHSC we are working to strengthen, improve and implement guidance and changes to the NHS contract to ensure that speaking up is not suppressed.

Guardians are using the [case reviews](#) to identify areas for improvement and their leaders are identifying the individual role that they play in fostering a speaking up culture. We will continue to drive forward improvements to make speaking up business as usual in the NHS.

***Dr Henrietta Hughes, National Guardian
for the NHS***

Government to strength role of the National Guardian

In its [response](#) to the Gosport Independent Panel Report, the Government has stated that it will look to the National Guardian to champion those who speak up by publishing an independent report to be laid before Parliament. The report will showcase best practice, hold the Government and the system to account and advocate for change.

The Government has said it is committed to ensuring that where workers speak up their concerns will be investigated. It is also looking at ways to encourage individual NHS trusts to be more transparent in the way they manage these cases. It has said it will legislate, subject to Parliamentary time, to make all NHS trusts in England publish annual reports on cases of workers speaking up.

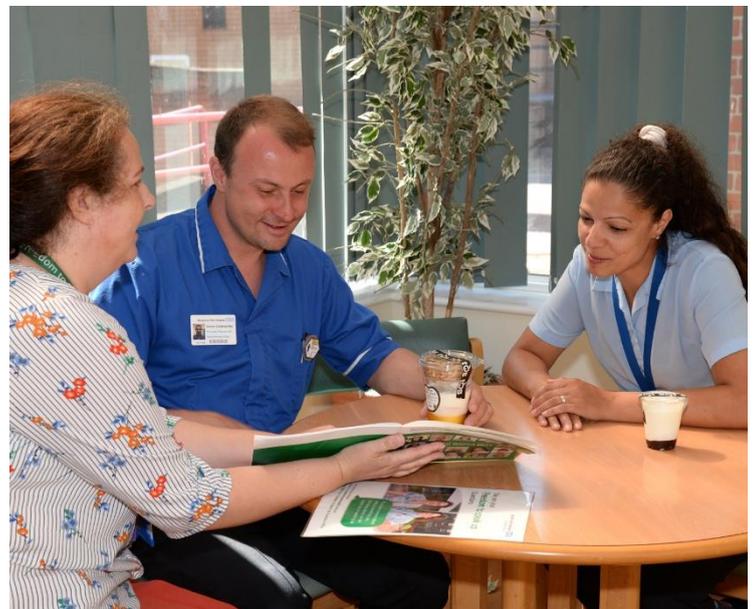
The Department of Health and Social Care will also consider how best to strengthen protection for anyone speaking up within the NHS in order to support patients, families and workers to speak up. It will place listening to, and learning from, feedback at the heart of care and improving care with a new strategy to be published.

National Guardian publishes second Annual Report

Our [Annual Report](#) features a foreword from Secretary of State for Health and Social Care, the Rt Hon Matt Hancock MP, and several case studies highlighting the difference Freedom to Speak Up Guardians are making to the lives of NHS workers and patients.

In one case study we highlight how a guardian escalated a case to Barking and Dagenham Council resulting in an investigation into a modern slavery and trafficking ring. In another a worker speaking up about poor practice when cleaning body fluids, resulted in a formal alert being raised across the organisation to ensure that all staff knew their responsibilities.

Read the full report and other case studies by [clicking here](#) to download a copy.



Conflict of interests and settlement agreements highlighted in recent case review reports



The [case review report](#) we published in November in regard to Nottinghamshire Healthcare NHS Foundation Trust made recommendations for conflict of interest policies to ensure all workers are aware of their purpose and workers make appropriate declarations, including those relating to conflicting loyalty interests.

The publication, the fourth case review report the office has produced, recommended Nottinghamshire Healthcare NHS Foundation Trust complete a number of actions relating to 13 recommendations within 12 months.

The conflict of interest recommendation also has relevance to both NHS England and NHS Improvement in regard to current guidelines.

Ben Dyson, Executive Director of Strategy at NHS Improvement said, “Publishing registers of interest is important in ensuring that the NHS is as transparent as possible in how it provides patient care and supports its staff. NHS Improvement wholly supports this initiative and plans to require trust boards to certify they are complying with these requirements.”

In our fifth [case review report](#), published in December, we identified areas for improvement in speaking up processes, practices and culture at Royal Cornwall Hospitals NHS Trust.

Based on a review carried during the summer, the report outlines evidence of the trust not always responding to instances of its workers speaking up in accordance with its policies and procedures, or with good practice.

It found that as a result some workers felt that there was not a positive speaking up culture in the trust and that issues that they raised were either poorly handled, or ignored by management.

In relation to settlement agreements, the review identified several potential areas where they could be improved to remove obstacles to speaking up. We made a recommendation for ourselves to complete, with partners, the review of settlement agreements in the NHS and we have committed to publish findings and any recommendations in due course.

Survey reveals NHS leaders must do more to support speaking up

In our latest [Freedom to Speak Up Guardian Survey](#), we called upon NHS leaders to take greater responsibility for supporting workers to speak up.

The office's annual survey asked guardians, and those supporting them, for their views on how the role is being implemented and more generally about the speaking up culture in the NHS. The latest survey includes responses from guardians appointed by arm's-length bodies, including health regulators.

The survey shows that the guardians in the highest performing organisations – as indicated by their CQC rating – perceive that open and transparent cultures are being fostered, where workers can speak up and that this is welcomed by managers and senior leaders.



In the report Dr Henrietta Hughes says “NHS leaders must do more to support their guardians and all those who are working in the NHS. The tone for openness and transparency needs to be set from the top and our survey indicates that the culture in some of the arm’s-length bodies, including regulators, may fall considerably short of many of the organisations that look to them for leadership, guidance and support.

“It’s notable that the perceptions of Freedom to Speak Up Guardians in these organisations is on a par with perceptions in provider organisations rated as inadequate or requiring improvement.

“I make this observation to start the conversation with these organisations about learning and improving. It suggests to me that they can learn from the best in the NHS where Freedom to Speak Up is working well.”

One of the other key findings from the survey is a reflection from those that responded that things are getting better, with 83 per cent of respondents saying the speaking up culture in the NHS had improved over the last 12 months. However, support for guardians is inconsistent, and 42 per cent of guardians responding to the survey are left without any ring-fenced time to do their job.

[Click here](#) to download a copy of the survey report.

First-ever Speak Up Month campaign

In October we launched our first ever Speak Up Month campaign. The objectives of Speak Up Month were to raise awareness of speaking up in trusts and stakeholder organisations.

Over the month the hashtag we created **#SpeakUpToMe** was used over 5,000 times and our Twitter handle was mentioned over 1,200 times. Over 100 events were held across England and over 100 attendees came to an event we held at the House of Commons.

One NHS worker reflecting on how much of a difference the campaign made to them provided us with an overview:

Speaking up “was a poignant and cathartic experience”

“Don’t underestimate the effect that speaking up will have on you,” the panel member said.

York Teaching Hospital NHS Foundation Trust hosts Schwartz Rounds, a forum for hospital staff from all backgrounds to come together to talk about the emotional and social challenges of caring for patients. They provide workers with a safe environment to share their stories and offer support to one another. To mark Speak Up Month, the trust hosted a panel titled “When I Spoke Up”, which provided a space for workers to talk about their experiences of raising concerns.

Talking to a big audience in York Hospital’s largest room, three panel members shared different stories about speaking up during their time in different NHS trusts. They opened up about the barriers that they faced and the common themes that came across were in relation to feeling isolated and afraid of being blamed.

Two of the panel had approached Lisa Smith, the trust’s Freedom to Speak Up Guardian, and had felt great relief at speaking to someone who was prepared to listen.

The emotional impact of workers speaking up was evident, with one panel member becoming tearful as she spoke about how she couldn’t talk to anyone and didn’t want to come into work for the first time in her career. Another panel member talked about experiencing around 18 months of stress and being preoccupied at home.

“The session was a poignant and cathartic experience. I’m so glad that Lisa was there for me,” said the panel member.

“It was such a relief to talk through these issues with the guardian and share our stories with the audience.”

The audience of staff members commented on the bravery of the panel. With initiatives like Schwartz Rounds, organisations can move increasingly towards an open, non-blaming and supportive culture.

Case study

Providing feedback and looking for opportunities to improve

“We encourage all workers to speak up and provide feedback as this helps us to improve the lives of our colleagues and the services we provide patients,” said Freedom to Speak Up Guardian Helen Martin.

The Royal Bournemouth and Christchurch Hospitals NHS Foundation Trust (RBCH) launched a cultural audit, which heard the views of nearly 1,000 trust workers. Key findings from this exercise included the need to develop a speaking up culture. To create this, the trust needed to promote more face-to-face communication with their workers.

The trust therefore embarked on a culture change programme. Every member of staff took responsibility for the success of the organisation by continually improving and delivering high quality and compassionate care.

The trust’s Freedom to Speak Up Guardian, Helen Martin, and the diversity and inclusion team walked a decorated trolley through the wards and other areas of the trust. The trolley was decorated with flags of the world and allowed the team to carry information to share with workers. This encouraged colleagues in the wards and clinical areas to engage in conversation, focusing on whether workers from diverse cultural backgrounds at the trust felt they had the freedom to speak up.

More recently the senior leadership team also joined the trolley to hear those messages first-hand, and feedback from workers has been positive.



Helen said, “It is vital that guardians and leadership teams make themselves visible to all frontline staff, especially vulnerable groups who may feel that they do not have a voice.”

They heard from over 700 members of staff who shared their suggestions to improve diversity and make speaking up visible in hard-to-reach areas. These conversations also contributed to the trust’s Equality, Diversity and Inclusion Strategy and Freedom to Speak Up objectives.

Creating an inclusive speaking up culture has contributed to RBCH moving to a top performing acute trust and top of the NHS staff survey results in 2018. Staff reported in the most recent staff survey that they felt significantly more confident that RBCH would address issues raised when they speak up. Staff impression surveys, including Staff Friends and Family Test, also show significant improvements with 77 per cent of staff recommending the trust as a place to work and 94 per cent saying that they have an overall positive impression of the trust.

Protect celebrate their 25th anniversary

Protect, formerly Public Concern at Work, celebrated their 25th anniversary with a reception at the House of Commons recently.

Many stakeholders, including clients, parliamentarians, legal friends, former staff, trustees, and workers who have spoken up – attended the reception hosted by Lord Shinkwin.

Previously Protect worked in partnership with Health Education England to help the National Guardian's Office deliver initial training to Freedom to Speak Up Guardians in 2016.

The charity has advised around 40,000 people on their free, confidential legal advice line, trained thousands of managers and supported organisations to strengthen their speaking up arrangements.

If you have any queries about the contents of this newsletter, please contact the National Guardian's Office by emailing: enquiries@nationalguardianoffice.org.uk