



Moorfields
Eye Hospital
NHS Foundation Trust



Agenda item 14

Annual freedom to speak up report

Board of directors

24 November 2022



Report title	Annual Freedom to Speak Up report (1 October 2021 - 30 September 2022), including a report for Q2 2022/23
Report from	Ian Tombleson, lead freedom to speak up guardian (director of quality and safety)
Prepared by	Ian Tombleson, lead freedom to speak up guardian (director of quality and safety)
Attachments	None
Link to strategic objectives	We will have an infrastructure and culture that supports innovation We will attract, retain and develop great people We will pioneer patient-centred care with exceptional clinical outcomes and excellent patient experience

Executive summary							
<p>This paper provides an Annual Report from the Freedom to Speak Up (FTSU) Guardians for 2022. It covers the period 1 October 2021 to 30 September 2022 (four consecutive quarters – Moorfields FTSU year). It also includes reporting for Q2 2022/23.</p> <p>The report provides assurance to the Board that FTSU Guardians are providing an effective service in line with requirements and the expectations of the National Guardian’s Office. FTSU Guardians are accessible and staff are able to raise concerns.</p> <p>The report considers areas of strength and also areas for improvement over the coming year.</p>							
Quality implications							
<p>The Trust’s approach to developing and supporting a ‘speaking up’ culture is a key element of the CQC well-led framework. If staff feel that they are supported in raising concerns in a safe environment and that their concerns are acted on, then this will have a positive impact on patient safety and improve the trust’s ability to learn lessons from incidents and support good practice. The Trust Board provides leadership and support to enable an open and transparent culture.</p>							
Financial implications							
<p>There are no direct financial implications arising from this paper.</p>							
Risk implications							
<p>Organisations need to have a culture where staff feel able to safely voice their concerns. Not having this culture can create potential impacts on patient safety, clinical effectiveness and patient and staff experience, as well as possible reputational risks and regulatory impact.</p>							
Action Required/Recommendation							
<p>The Board is asked to:</p> <ul style="list-style-type: none"> • Discuss and note the content of the paper. 							
For Assurance	✓	For decision		For discussion	✓	To note	✓

1. Introduction

The purpose of this report is to provide the Board with an overview of the Freedom to Speak Up (FTSU) service during 2022 and forward plans.

The purpose of creating a speaking up culture is to keep our patients safe, improve the working environment of staff and to promote learning and improvement. We are aware that our staff survey results from this year suggest that staff do not always feel safe speaking up and we must continue to support ways to support this across all parts of the organisation.

FTSU was a recommendation of the Freedom to Speak Up review by Sir Robert Francis published in 2015 and the role of Guardians continues to develop across the NHS. He recommended that FTSU Guardians act in a genuinely independent capacity and support staff to raise concerns. Guardians also promote a culture in which staff feel safe to raise concerns.

2. Moorfields Guardian Service

Moorfields Guardians cover all sites and services including Moorfields Private. FTSU has a much broader definition than the previous term 'whistleblowing' which was often only used in the most extreme circumstances and was viewed negatively. Over the years since its inception FTSU continues to broaden its support and is seen clearly to run alongside other support services. FTSU is viewed as a way to provide additional support to staff to resolve concerns. It provides a set of flexible arrangements to get the best outcomes for staff and management and works alongside all other relevant policies. FTSU runs complementary to a broad speaking up culture where staff get good management and workforce support and where staff are free to raise concerns as they go about their day-to-day business.

In policy terms NHS organisations (including Moorfields) follow the national freedom to speak up policy which provides a framework rather than a specific model for FTSU. The national policy has been updated reflecting further maturing and progress of FTSU. It provides clearer messages and further reflects the supportive role of Guardians in organisational culture and their role in supporting other services to resolve issues and concerns. Moorfields policy will be reviewed shortly in line with the national policy.

Moorfields Guardian service is currently provided on a voluntary basis. All Guardians give up their time to support their colleagues. Moorfields has five FTSU Guardians from across the network geography and shows good representation across Moorfields professional groups. The Guardians are:

- Dr Ali Abbas, consultant ophthalmologist, City Road and Moorfields North
- Derek Scott, health records manager, City Road/Trust-wide
- Amita Sharma, infection control lead nurse, City Road/Trust-wide
- Julie Smythe, ECLo, Moorfields South
- Ian Tomblison, director of quality and safety (lead guardian). Trust-wide.

All the Guardians have received training from the National Guardian's Office. If individuals are not happy to raise concerns via the Guardians, or their concern is about the Guardians themselves or is at a Trust Board level, then these can be raised with Adrian Morris, non-executive director.

Examples of potential FTSU concerns in the policy include, but are by no means restricted to:

- Unsafe patient care
- Lack of, or poor, response to a reported patient safety incident
- Unsafe working conditions
- Suspicion of fraud
- Possible criminal offence
- Negative staff morale
- Bullying or harassment.

3. Freedom to Speak Up Accountability Arrangements

The Trust is committed to providing outstanding care to service users and staff and to achieving the highest standards of conduct, openness and accountability. The Chief Executive is accountable for ensuring that FTSU arrangements meet the needs of the staff across the Trust.

Guardians have regular meetings with the Chair and Chief Executive to discuss how the process is functioning, activities and key themes. They pay a keen interest and ensure that the Guardians are fully supported and in their roles. Adrian Morris, as a non-executive director, provides independent oversight and support for the Guardians. The Board receives quarterly reports from the Guardians and an Annual Report at the end of each year.

3.1 Board Freedom to Speak Up (FTSU) self-evaluation

At its strategy session on 27 October, the Board considered the new Trust FTSU self-evaluation tool launched by the National Guardian's office in September 2022. The self-evaluation had initially been completed by the lead FTSU Guardian and had undergone a deep dive review by the Management Executive.

The main conclusions of the Board review were:

- It was felt that there is a good level of knowledge of FTSU and its role amongst Board members
- More work was required to develop an understanding of FTSU across the wider management of the organisation
- FTSU should form part of the annual business cycle with aims and objectives and a business plan
- The current FTSU team is provided by volunteers, and this should be strengthened with substantive support
- FTSU Trust benchmarking data was helpful in identifying issues and areas of focus
- More work was required to develop a culture of speaking up across Moorfields
- Communicating the role of FTSU was seen as a strength. However more work was required to provide feedback to staff with examples about how FTSU was helping resolve issues quickly and in a supportive way
- An external review was being commissioned to support strengthening the FTSU model.

4. Guardian accessibility and initiatives

Guardians are accessible via their confidential email address 24 hours a day, 7 days a week. The service commits to responding to a concern being raised within 48 hours. The primary role of Guardians is to raise concerns and ensure that management are aware and are responding in a timely way and that staff receive adequate support and feedback. It is not for Guardians to investigate issues themselves, rather to receive assurance that issues are being managed. Timescales for resolution of issues varies considerably from almost immediately to several months depending on the complexity of the concern. Guardians always provide feedback to staff about the outcome of their concern and sometimes feedback is iterative depending on the nature of the resolution pathway.

Part of supporting a culture of openness is enhanced by Guardians being visible and speaking to staff. Guardians have a programme of visiting network locations to make themselves available to staff should they want to raise concerns, either at that time or at another opportunity. This also has an advantage of supportive engagements with staff talking about the role of the Guardians and more generally why speaking up is a good thing. In the one year period covered by this report:

- 15 network location sites were visited
- There were eight separate visits to parts of the City Road site (including the RDCEC)
- There were two visits to Moorfields Private.

Although just outside the period covered by this report, October 2022 was FTSU up month and the Guardians introduced a new open session in the City Road staff restaurant. This attracted more than 50 contacts with the team enquiring about the service. Pledges were made and publicised committing to FTSU across Moorfields. The Guardians estimate when engaging with staff on walkabouts that about 50% are aware of the Guardians and their role.

4.1 Communications and messaging

The communications team provide good support for and understand the important role of FTSU. During FTSU month the communications team provided an extended communications exercise advertising the role of Guardians via multiple channels. There is a Guardian's intranet hub page and the Guardians distribute simple pocket cards and leaflets. The CEO continues to promote the role of FTSU through his regular staff briefings about the importance of feeling able to speak up and explaining about the role of Guardians. The role of Guardians is also referred to during staff induction sessions. The workforce and OD team and the staff networks also promote the role of the Guardians to provide better opportunities for staff awareness.

Feedback from staff and staff engagement about the service includes:

'I will definitely use the Guardians service again as pastoral support for staff is ongoing and it is great to have expert/formal input from the Guardians.

This is extremely important for shared learning and a 'safe space' to deal with delicate matters affecting staff mental-health and wellbeing.

This scenario is a great example of where things may get out of hand if not handled appropriately. Having expert support is reassuring and builds confidence for those advocating for staff.

Thank you so much indeed for everything.'

4.2 Freedom to Speak up network

Guardians form a proactive part of the London Regional network and attend the regular on-line sessions. This network is useful to review practice and to learn from others. It is also useful to share on-going challenges between services and it is sometimes attended by the National Guardian's Office to provide feedback and explain about policy direction, change and new initiatives.

5. FTSU benchmarking

Our benchmarking data from the NHS model hospital portal is relatively good compared to other trusts. Available data includes the following:

- Performance based on the most recent overall FTSU index (2020: includes multiple data feeds) puts us in quartile 3, 0.6% above the overall provider median and 2.6% above our peer median.
- For Q1 2022/23 NCL data we are in quartile 3 for all reported cases.
- For Q1 2022/23 NCL data we are in top quartile for cases per 1,000 WTE.

It is important to note that benchmarking is a snapshot and data is likely to change with time. However all data is valuable to identify gaps and help improve performance.

6. Concerns raised and data analysis

6.1 Quarter 2 2022/23

The experience of the FTSU guardians is that often Guardians provide staff with someone to go to if they wish to raise a concern that they believe is serious and they are unable to resolve themselves without additional impartial support. Many have already raised a concern either directly or indirectly with their line manager.

Guardians provide a range of support for individuals to help resolve their concerns including advice and guidance, liaison and contact with colleagues, liaison and contact with the workforce team, liaison and feedback to line managers and feedback to teams or departments.

The fourth quarter period for the yearly data (Q2 2022/23, 1 July to 30 September 2022) is set out below. There were 16 concerns raised compared to 31 in the previous quarter.

Theme	Primary	Secondary
Culture/Behaviour ¹	7	1
Process ²	6	1
Training	1	0
Patient safety/quality/risk ³	0	0
Staff safety/well-being ⁴	2	2
Total	16	4

1 = definition includes a range of behaviours from poor management visibility, poor communication, putting staff under undue pressure, potential bullying and harassment and poor working culture

2 = definition includes issues around what process is required or whether a specific process has been followed

3 = definition includes a very wide range of issues from potential concerns about specific harm to patients, to service quality, to poor customer care.

4 = Staff safety and staff well-being impact.

It is important to note that no serious safety concerns have been raised (where death or serious harm had been or was about to be caused directly or indirectly to patients or staff).

6.2 2022 analysis - Concerns by theme

The table below shows the data quarter by quarter across the year.

Theme	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Totals
	Oct to Dec 2021	Jan to March 2022	April to June 2022	July to September 2022	
Culture/behaviour/attitude	8	13	9	6	36 (15)
Process or system	0	3	5	7	15 (9)
Training	0	0	0	1	1 (0)
Patient safety/quality	8	0	3	0	10 (11)
Staff health and well-being	1	8	15	2	26 (25)
Totals	17	24	32	16	89 (60)*

*Figures in brackets refer to previous year

There are a number of points to note from this data. Annual concerns raised have increased by 48% on the previous year. Quarterly data indicates that around 70% of concerns relate directly to staff, either culture/behaviour and bullying and health and well-being. This is consistent with 67% from the previous year. It is also consistent with concerns raised from our staff survey data.

Total quarterly numbers vary and this, like other aspects of hospital business, probably vary over the business cycle with the summer months showing less activity. Also there were still likely to be impacts of Covid-19 in the first quarter. There is some consistency in the quarterly data although given the relatively low numbers patterns cannot be clearly described.

The table below shows FTSU data for year 1-4 (the four years the service has been running).

Theme	Number Year 1	% Year 1	Numbers Year 2	% Year 2	Number Year 3	% Year 3	Number Year 4	% Year 4	Total
Culture/behaviour /attitude	13	56	12	13	15	25	36	41	76
Process or system	5	22	8	9	9	15	15	17	37
Training	2	9	1	1	0	0	1	1	4
Patient safety /quality	3	13	2	2	11	18	11	11	27
Staff health and well-being	0	0	70	75	25	42	26	30	121
Totals	23	100	93	100	60	100	89	100	265

Combing data from four years, people related issues (culture/behaviour and health and well-being) are most prevalent, with the two largest figures (197 in total) representing 74% of all the concerns raised – this is consistent with the 77% figure combining the first 3 years data. This data is also consistent with staff survey data.

Staff raising concerns – professional groups, geography and sites

For 2022 the two highest groups raising concerns were admin and clerical and nursing, with approximately 40% of concerns arising from admin and clerical staff and 30% arising from nursing. These figures correlate to some degree with these being our largest staff groups by number across the organisation. Also, there are concerns raised across the range of professional groups including doctors and AHPs. Through the year there has been a spread of concerns raised from all the divisions across a range of network sites, including Moorfields Private.

Raising concerns - Staff background

Three of the Guardians come from a BAME background, two are female, three are male and they are drawn from five professional backgrounds. This is a good mixture. Specific ethnicity data has not been collected for those that have raised concerns. Data indicates that of the 89 concerns raised this year (year 4) that around 34% of concerns raised were from BAME staff (the figure for 2021 was 37%). I have discussed these figures with the workforce team and through the EDHR group we will compare data across others process areas (for example bullying and harassment pathways) to see whether there are any correlations.

7. Learning and areas for improvement

In line with the purpose of the Guardians service to create a speaking up culture to keep our patients safe, improve the working environment of staff and to promote learning and improvement, it is important that the FTSU Guardian service continues to learn and improve.

Key learning identified in this report and developments for next year include:

- Use of the Guardians service appears to be growing over time although more data is required to understand whether this is a trend
- Consistent with previous years, culture, behaviour, bullying and harassment and staff health and well-being issues form around 70% of all concerns raised, and on a cumulative basis this extends to three-quarters
- Developing an annual business plan to support planning and delivery of FTSU
- Developing an annual communications plan for FTSU, particularly including examples of feedback and how FTSU helps resolve issues quickly and in a supportive way
- Maintaining visibility of the Guardians in departments and network sites through a regular visiting schedule
- Completing an external review of FTSU to help strengthen the current model, including the resource support
- Continuing to link FTSU data to the wider cultural development work of Moorfields, particularly through the People Plan, People Committee and EDHR group
- Further utilise other sources of data/information, for example benchmarking and network data to identify issues and gaps.
- Other initiatives, such as implementing the new national patient safety strategy (PSIRF), will help promote a culture of patient safety and speaking up.

8. Conclusions

Guardians continue to promote their role and a safe culture of speaking up. The service continues to grow and there are number of development areas forming part of the learning and actions.

There are processes in place to resolve concerns as they arise. The Chair and Chief Executive have regular confidential conversations with Guardians to keep them informed about activity and themes and there is Board oversight.

The Guardians will continue to work to ensure that the service they provide is responsive to the needs of the organisation.