

West Suffolk NHS Foundation Trust Freedom to Speak Up Policy

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Speak up – we will listen

We welcome speaking up and we will listen. By speaking up at work you will be playing a vital role in helping us to keep improving our services for all patients and the working environment for our colleagues.

This policy is for all colleagues at the West Suffolk NHS Foundation Trust. This encompasses any healthcare professionals, clinical and non-clinical workers, receptionists, directors, managers, contractors, volunteers, students, trainees, junior doctors, locums, bank and agency workers, and former workers.

The [NHS People Promise](#) commits to ensuring that “we each have a voice that counts, that we all feel safe and confident to speak up and take the time to really listen to understand the hopes and fears that lie behind the words”.

We want to hear about any concerns you have, whichever part of the organisation you work in. We know some groups in our workforce feel they are seldom heard or are reluctant to speak up. We also know that workers with disabilities, or from a minority ethnic background, or the LGBTQ+ community do not always feel able to speak up.

This policy is for all colleagues and as a Trust we need to hear from all our colleagues to enable us to provide an environment in which we can all thrive.

We ask all colleagues to complete the [online training on speaking up](#). The online module on listening up is specifically for managers to complete and the module on following up is for senior leaders to complete. All modules should be accessed via your ESR account to enable a record of your training. If you do not have an ESR account, please contact the [Guardian](#) for support on accessing training. You can find out more about what Freedom to Speak Up (FTSU) is in these [videos](#).

This policy

This policy reflects the national standard policy produced by the National Guardian’s Office. Its aim is to ensure all matters raised are captured and considered appropriately.

Duties and responsibilities

Freedom to Speak Up Guardian

The Freedom to Speak Up Guardian is responsible for helping to nurture a culture of openness, by acting as an independent and impartial source of advice to colleagues at any stage of raising a concern.

Freedom to Speak Up Champions

The Freedom to Speak Up Champions are here to listen to colleagues and refer to the appropriate services, and where necessary, escalate to the Freedom to Speak up Guardian. They will support the Trust and the Freedom to Speak Up Guardian in nurturing a positive Speaking up culture.

Human Resources

Provide support, guidance and advice to managers, employees, and workers in line with this policy for any concerns raised, as well as to individuals considering raising a concern under this policy.

Executive Team & Board

The Executive Team and Board are responsible for reviewing all concerns escalated to them in accordance with this policy. They are responsible for setting the culture and tone of the organisation and ensuring this policy is properly applied.

All managers/clinical leaders

Managers and clinical leaders are key to developing a culture of safety and learning in which all colleagues feel safe to raise a concern about anything they believe is harming the services we deliver. Managers and clinical leaders hold a responsibility to process and investigate all such concerns effectively in line with this policy.

All Colleagues

All colleagues have a responsibility to read and understand this policy and to support the principles set out within it.

Staff Side (Union and Professional organisations) representatives

To work in partnership with the FTSU Guardian and support the principles set out within the FTSU policy.

Who can speak up?

Anyone who works or has worked in the West Suffolk NHS Foundation Trust. Speaking up is for all colleagues, whatever their role. This includes clinical and non-clinical workers, contractors, volunteers, students, trainees, locum, bank and agency workers.

It is safe to Speak Up

It is important to us that you feel safe to speak up. Your speaking up to us is a gift because it helps us identify opportunities for improvement that we might not otherwise know about. We will not tolerate anyone being prevented or deterred from speaking up or being mistreated because they have spoken up.

What can I speak up about?

You can speak up about anything that gets in the way of patient care or affects your working life. That could be something which doesn't feel right to you: for example, a way of working or a process that isn't being followed; you feel you are being discriminated against; or you feel the behaviours of others is affecting your wellbeing, or that of your colleagues or patients. Speaking up is about all of these things. Speaking up, therefore, captures a range of issues, some of which may be appropriate for other existing policies such as (but not limited to):

Situation	Consider Policy
You have immediate health concerns about a deteriorating patient	National Early Warning Scores: NEWS2 and MEOWS
You have safeguarding concerns	Safeguarding children policy and forms Safeguarding Adults
You have concerns about employment, e.g. <ul style="list-style-type: none"> Disagreements within or between teams; Disagreements between colleagues; Disagreements between managers and members of their team; Concerns or complaints about the allocation or distribution of resources, including setting of shifts; Concerns or complaints about the actions or inactions of the Trust 	Resolution policy and procedure - West Suffolk NHS Intranet (wsh.nhs.uk)
To find out about Special leave (e.g. if you need leave for parental or caring responsibilities or for bereavement)	Special Leave for Domestic, Personal and Family Reasons Policy - West Suffolk NHS Intranet (wsh.nhs.uk)
Time off for appointments e.g. Doctors, dentists etc	Time off for Doctors, Dentists, Interviews and other Appointments - West Suffolk NHS Intranet (wsh.nhs.uk)
If you want to know more about sickness and other absence and attendance	Supporting Attendance - West Suffolk NHS Intranet (contensis.cloud)
If you want to know more about expected standards of conduct	Managing conduct and expected standards - West Suffolk NHS Intranet (contensis.cloud)
If you want to know about pay steps and progression	Pay step and pay progression
You have identified an ongoing risk in a service area which is not already recorded on the trust risk register (your line manager/ clinical service lead can advise you of this if you do not have access to Datix/Risk register)	Risk Assessment Policy Strategy and Policy for Risk Management

As an organisation, we will listen and work with you to identify the most appropriate way of responding to the issue you raise.

If you see poor care or feel you are being prevented from providing safe, compassionate care, and the situation requires an immediate response, discuss it with your senior colleagues and then document the conversation. It is essential that all colleagues raise and act on concerns early. Don't wait for a problem to develop.

How should I speak up?

You can speak up to any of the people or organisations listed in the next section in person, by phone or in writing (including email).

Confidentiality

The most important aspect of your speaking up is the information you can provide, not your identity. You have a choice about how you speak up:

- **Openly:** you are happy that the person you speak up to knows your identity and that they can share this with anyone else involved in responding.
- **Confidentially:** you are happy to reveal your identity to the person you choose to speak up to on the condition that they will not share this without your consent.
- **Anonymously:** you do not want to reveal your identity to anyone. This can make it difficult for others to ask you for further information about the matter and may make it more complicated to act to resolve the issue. It also means that you might not be able to access any extra support you need and receive any feedback on the outcome.

In all circumstances, please be ready to explain as fully as you can the information and circumstances that prompted you to speak up

Who can I speak up to?

Speaking up internally

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. We strive for a culture where that is normal, everyday practice and encourage you to explore this option – it may well be the easiest and simplest way of resolving matters. However, you have other options in terms of who you can speak up to, depending on what feels most appropriate to you.

- **Senior manager, partner, or director** with responsibility for the subject matter you are speaking up about.
- The **patient safety & quality team** (where concerns relate to patient safety or wider quality) led by Lucy Winstanley, Head of patient safety & quality lucy.winstanley@wsh.nhs.uk or call (01284 713043
- Email [Our HR team](#) or call HR on 01284 713528/713779
- One of [our Freedom to Speak Up Champions](#).
- Our **Freedom to Speak Up Guardian (FTSUG)**, Jane Sharland, can be contacted by emailing: freedomtospeakup.mailbox@wsh.nhs.uk or telephone: 07896929086. Jane can support you to speak up if you feel unable to do so by other routes. The guardian will ensure that people who speak up are thanked for doing so, that the issues they raise are responded to, and that the person speaking up receives feedback on the actions taken. You can find out more about the guardian role [here](#).

If you wish to speak up to the Guardian anonymously; you can do so by completing the [anonymous reporting form on the intranet](#) or write a letter to the Freedom To Speak Up Guardian C/O the Drummond Education Centre at the West Suffolk Hospital, giving us as much detail as you can. Or Call 01284 712612 to leave a message on our anonymous reporting phone-line.

- Our **senior lead responsible for Freedom to Speak Up**, Jeremy Over, Executive Director of Workforce and Communications: Jeremy.over@wsh.nhs.uk - Jeremy provides senior support for our speaking-up guardian and is responsible for reviewing the effectiveness of our FTSU arrangements.
- Our **non-executive director responsible for Freedom to Speak Up**, Antoinette Jackson: antoinette.jackson@wsh.nhs.uk – this role is specific to organisations with boards and can provide more independent support for the guardian; provide a fresh pair of eyes to ensure that investigations are conducted with rigor; and help escalate issues, where needed.
- For **cases of suspected fraud**, Contact Local Counter Fraud Specialist Mark Kidd: on 07528 970251 or mark.kidd@nhs.net

Speaking up externally

If you do not want to speak up to someone within the West Suffolk NHS Foundation Trust, you can speak up externally to:

- [Care Quality Commission](#) (CQC) for quality and safety concerns about the services it regulates – The CQC will contact the Trust usually via the Executive Chief Nurse providing the detail of the concern raised whilst maintaining the anonymity of the person(s) raising it. The organisation will then liaise with our FTSUG to ensure that whenever possible the area/team are made aware of the concern raised and are kept informed of any response to the CQC whilst being supported to discuss any concerns internally via the FTSUG. You can find out more about how the CQC handles concerns [here](#).
- NHS England for concerns about:
 - GP surgeries
 - dental practices
 - optometrists
 - pharmacies
 - how NHS trusts and foundation trusts are being run (this includes ambulance trusts and community and mental health trusts)
 - NHS procurement and patient choice
 - the national tariff.

NHS England may decide to investigate your concern themselves, ask your employer or another appropriate organisation to investigate (usually with their oversight) and/or use the information

you provide to inform their oversight of the relevant organisation. The precise action they take will depend on the nature of your concern and how it relates to their various roles.

- [NHS Counter Fraud Agency](#) for concerns about fraud and corruption, using their [online reporting form](#) or calling their freephone line **0800 028 4060**.

Please note that neither the Care Quality Commission nor NHS England can get involved in individual employment matters, such as a concern from an individual about feeling bullied.

- If you would like to speak up about the conduct of a member of staff, you can do this by contacting the relevant professional body such as the General Medical Council, Nursing and Midwifery Council, Health & Care Professions Council, General Dental Council, General Optical Council or General Pharmaceutical Council. Appendix B contains information about making a 'protected disclosure'.

What will we do?

The matter you are speaking up about may be best considered under a specific existing policy/process; for example, our process for dealing with bullying and harassment under the Respect for others policy. If so, we will discuss that with you. If you speak up about something that does not fall into an HR or patient safety incident process, this policy ensures that the matter is still addressed. What you can expect to happen after speaking up is shown in Appendix A.

Resolution and investigation

We support our managers/supervisors to listen to the issue you raise and take action to resolve it wherever possible. In most cases, it is important that this opportunity is fully explored, which may be with facilitated conversations and/or mediation.

Where an investigation is needed, this will be objective and conducted by someone who is suitably independent (this might be someone outside the organisation or from a different part of the organisation) and trained in investigations. It will reach a conclusion within a reasonable timescale (which we will notify you of), and a report will be produced that identifies any issues to prevent problems recurring.

Any employment issues that have implications for you/your capability or conduct identified during the investigation will be considered separately.

Communicating with you

We will treat you with respect at all times and will thank you for speaking up. We will discuss the issues with you to ensure we understand exactly what you are worried about. Should an investigation be needed, we will advise you how long we expect the process to take and agree with you how to keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others and recognising that some matters may be strictly confidential; as such it may be that we cannot even share the outcome with you).

How we learn from your speaking up

We encourage colleagues to speak up so we can continue to improve the services we provide for patients and the environment our colleagues work in. Where it identifies improvements that can be

made, we will ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Review

We will seek feedback from workers about their experience of speaking up. We will review the effectiveness of this policy and our local process annually, with the outcome published and changes made as appropriate.

Senior leaders' oversight

Our most senior leaders will receive a report at least annually providing a thematic overview of speaking up by our staff to our FTSU guardian.

Advice and support

You can find out about the local support available to you on the [WSFT public internet page](#) or staff intranet under [culture and wellbeing](#) or by contacting your Freedom to Speak Up Guardian

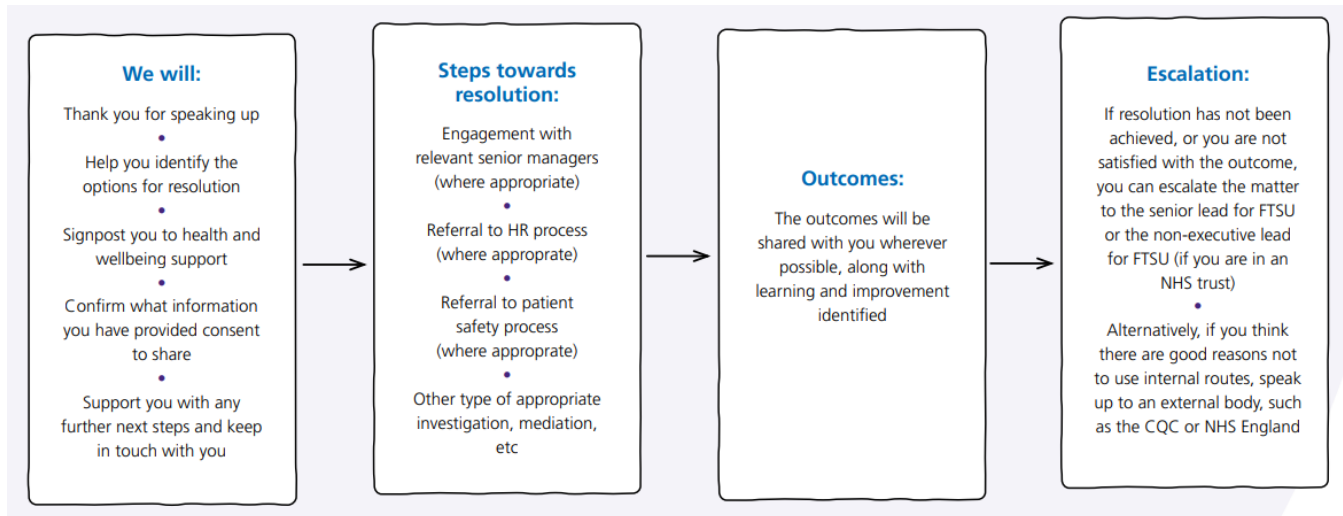
You can access a range of health and wellbeing support via NHS England:

- [Support available for our NHS people.](#)
- [Looking after you: confidential coaching and support for the primary care workforce.](#)
- NHS England has a [Speak Up Support Scheme](#) that you can apply to for support.

You can also contact the following organisations:

- [Speak Up Direct](#) provides free, independent, confidential advice on the speaking up process.
- The charity [Protect](#) provides confidential and legal advice on speaking up.
- The [Trades Union Congress](#) provides information on how to join a trade union. Or for local Union information and support please contact the Staff Side Lead – Paul Pearson:
Paul.pearson@wsh.nhs.uk
- The [Law Society](#) may be able to point you to other sources of advice and support.
- The [Advisory, Conciliation and Arbitration Service](#) gives advice and assistance, including on early conciliation regarding employment disputes.

Appendix A: What will happen when I speak up?



Appendix B: Making a protected disclosure

Making a 'protected disclosure' A protected disclosure is defined in the Public Interest Disclosure Act 1998. This legislation allows certain categories of worker to lodge a claim for compensation with an employment tribunal if they suffer as a result of speaking up. The legislation is complex and to qualify for protection under it, very specific criteria must be met in relation to who is speaking up, about what and to whom. To help you consider whether you might meet these criteria, please seek independent advice from [Protect](#) or a legal representative

Author(s):	HR & Communications
Other contributors:	Trade Union Representatives
Approvals and endorsements:	Corporate Risk Committee
Consultation:	Trust Council
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Supercedes:	PP(21) 056 version 8
Equality Assessed	Yes
Implementation	Policies will be checked by HR Manager. Distribution to all Managers. Published on the Intranet.
Monitoring: (give brief details how this will be done)	Implementation, compliance and effectiveness of this policy will be monitored by Trust Council. 100% of any complaints received into the HR Directorate will be handled in line with the policy and will be recorded on the Complaints Database held by HR.
Other relevant policies/documents & references:	Fraud, Financial Irregularities and Corruption Policy, PP173
Additional Information:	None