



Freedom to Speak Up review tool for NHS trusts and foundation trusts

July 2019



This is a tool for the boards of NHS trusts and foundation trusts to accompany the [Guidance for boards on Freedom to Speak Up in NHS trusts and NHS foundation trusts](#) (cross referred with page numbers in the tool) and the [Supplementary information on Freedom to Speak Up in NHS trusts and NHS foundation trusts](#) (cross referred with section numbers).

We expect the executive lead for Freedom to Speak Up (FTSU) to use the guidance and this tool to help the board reflect on its current position and the improvement needed to meet the expectations of NHS England and NHS Improvement and the National Guardian's Office.

We hope boards will use this tool thoughtfully and not just as a tick box exercise. We also hope that it is done collaboratively among the board and also with key staff groups – why not ask people you know have spoken up in your organisation to share their thoughts on your assessment? Or your support staff who move around the trust most but can often be overlooked?

Ideally, the board should repeat this self-reflection exercise at regular intervals and in the spirit of transparency the review and any accompanying action plan should be discussed in the public part of the board meeting. The executive lead should take updates to the board at least every six months.

It is not appropriate for the FTSU Guardian to lead this work as the focus is on the behaviour of executives and the board as a whole. But getting the FTSU Guardian's views would be a useful way of testing the board's perception of itself. The board may also want to share the review and its accompanying action plan with wider interested stakeholders like its FTSU focus group (if it has one) or its various staff network groups.

We would love to see examples of FTSU strategies, communication plans, executive engagement plans, leadership programme content, innovative publicity ideas, board papers to add them to our Improvement Hub so that others can learn from them. Please send anything you would specifically like to flag to nhsi.ftsulearning@nhs.net

Leeds Teaching Hospitals Trust - FTSU Review

The review has been written by Rachael Meal, Staff Engagement Lead, on behalf of the FTSU Executive Lead, and therefore independent of the Freedom to Speak Up Guardian and Process. The information and evidence presented below follows an engagement process to identify current strengths, and areas for improvement against each expectation. This engagement involved gaining the feedback from key stakeholders across the Trust, including The FTSU Guardian, Joe Cohen, Deputy HR Director, Chris Carvey, and members of the Staff Engagement Group (consisting of CSU senior leaders and advocates for staff engagement across the Trust). The below review has been approved by the FTSU Executive Lead, Jenny Lewis, with the final required executive and Board sign off to take place during the upcoming Workforce Committee and Board meeting; ensuring a full and comprehensive review has been completed, with actions identified.

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Behave in a way that encourages workers to speak up					
Individual executive and non-executive directors can evidence that they behave in a way that encourages workers to speak up. Evidence should demonstrate that they: <ul style="list-style-type: none"> understand the impact their behaviour can have on a trust's culture know what behaviours encourage and inhibit workers from speaking up 	Section 1 p5	Fully met 22.07.20	Annual review date July 2021	1. Appraisals and 360 feedback: Executives are appraised using the respectful behaviours underpinning our Leeds way values; one of which is specifically titled 'Speak Up'. Executive and non-executive appraisals additionally include 360 feedback, which further supports the identification of development needs, enables consideration of peer feedback and evidence, and importantly provides an opportunity for peers to constructively and compassionately challenge one another.	

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<ul style="list-style-type: none"> • test their beliefs about their behaviours using a wide range of feedback • reflect on the feedback and make changes as necessary • constructively and compassionately challenge each other when appropriate behaviour is not displayed 				<p>2. Concerns raised: Directors personally meet with individuals who have raised concerns. With team support also provided following investigations.</p> <p>3. Senior visibility: Senior visibility is a priority across corporate communications, with weekly area visits and blog updates from the CEO to demonstrate living the Leeds Way Values and behaviours at all levels.</p> <p>4. Corporate Induction: The CEO presents at the weekly Corporate Induction, highlighting the importance of the Trust's values, behaviours, and speaking up. Promoting the different routes available to staff, and asking for staff to feed back if senior leaders are not living up to the Trust values.</p> <p>5. Corporate Induction's 'Meet the Leaders': New managers are asked to 'meet the leaders' following corporate induction, providing an opportunity to meet the executive team. The CEO here additionally asks the managers to hold the executives to account with regards to the Trust values and behaviours, and provide them with feedback when appropriate. To develop this further, 'Meet the Leaders' will now include all executives.</p> <p>6. Values and behaviours: Executives and non-executives supported the refreshing of the behaviours accompanying the Trust's values, alongside staff feedback. With a specific</p>	

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				<p>behaviour titled 'Speak Up'.</p> <p>7. People Priorities: The Trust's 7 People Priorities have been developed more recently by the Executives and non-executive directors to support Trust-wide progression towards becoming the best place to work. People Priority 4, 'Free from Discrimination' consists of specific measures relating to FTSU.</p> <p>8. Workforce Committee: The newly formed Workforce Committee, consisting of executive and non-executive members, (including the executive and non-executive FTSU Leads) provides a governance structure and assurance across the People Priorities, outlined above, and therefore the FTSU measurements and actions. Accountability between members is additionally upheld here, with non-executives asked to positively challenge process and action.</p> <p>9. Leeds Improvement Method (LIM): The Trust has introduced the LIM, with executive and non-executives leading by example. Utilising this methodology ensures those closest to the work continually improves their work, and is also the ethos taken towards FTSU.</p> <p>10. Quality Strategy: our quality strategy strengthens and encourages a culture of learning, which requires all staff to be open and honest about aspects that are not where we want them to be; speaking up and utilising the LIM to</p>	

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				continually improve. 11. NHS Staff Survey: The annual NHS Staff Survey results of questions related to FTSU and the Trust's speaking up culture, are utilised to measure progress, and highlight areas for improvement at Exec, Board, and Workforce Committee meetings.	
Demonstrate commitment to FTSU					
The Board can evidence their commitment to creating an open and honest culture by demonstrating: <ul style="list-style-type: none"> there are a named executive and non-executive leads responsible for speaking up speaking up and other cultural issues are included in the Board development programme they welcome workers to speak about their experiences in person at Board meetings the Trust has a sustained and ongoing focus on the reduction of bullying, harassment and incivility 	p6 Section 1 Section 2 Section 3	Partially met 22.07.20	Annual review date July 2021	<ol style="list-style-type: none"> Executive and non-executive Leads: appointments have been made to both positions. Regular 1:1 meetings: take place between the CEO, Chair Executive and NED Reports to Board: Regular reports are required to the Board to ensure clear sighting and accountability is upheld, as well as contributing to the Board's own development. Staff Stories: Staff stories have been introduced to Board meetings, inviting a member of staff to share an experience of working for LTHT- both positive and negative stories are welcomed. Leadership development: Leaders are supported and encouraged to continually develop. Several formal senior level development opportunities are available via the 	<ol style="list-style-type: none"> Peer and Process Reviews: actions are underway to develop and establish an externally commissioned peer and process review. This will include a review of the champions/Guardian/leads model and gaining a deeper understanding of processes such as handling claims of detriment to those who have spoken up. Lead: JC Identified Trust-wide Improvement: The 2019 survey results identified required improvement regarding violence amongst colleagues, and encouraging staff to speak up about such instances. A steering group was established, meeting for the first time in March. Although paused during our initial COVID-19

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<ul style="list-style-type: none"> there is a plan to monitor possible detriment to those who have spoken up and a robust process to review claims of detriment if they are made the Trust continually invests in leadership development the Trust regularly evaluates how effective its FTSU Guardian and champion model is the Trust invests in a sustained, creative and engaging communication strategy to tell positive stories about speaking up. 				<p>internal Organisational Learning Department, and well as within the region (Board to Board, and Shadow Board). A review of leadership programmes in 2019 led to the inclusion of FTSU content. Informal development is available and encouraged, including coaching and mentoring.</p> <p>6. Bullying and Harassment: The NHS Staff Survey results are used to monitor and measure progress. These results are discussed during the CSU Joint accountability framework meetings, consisting of Tri Team members and the area's HRBP, to discuss all aspects of the workforce. Relevant connections and actions are also established with the sub-committees, Trust Networks, Staff Side, and the Dignity at Work Team to ensure all issues and opportunities are identified and appropriately managed.</p> <p>7. FTSU is widely promoted across the Trust via various methods. However we wish develop tis further by promoting 'speaking up' in relation to all routes available to staff.</p>	<p>response, the Staff Engagement Group are clear this work needs to continue, and will start with a Trust wide transparent communications campaign relaying the results, the Trust's values and behaviours, and routes to speak up, with senior leadership presence to support the message. Lead: RM</p> <p>3. Communications campaign: actions have been established to launch a campaign to promote the different routes of escalation available to staff. The campaign will support the Trust's communication strategy, with actions to ensure it is creative and engaging in its approach. Progress will be measured using the Staff Survey results, and the number of cases. Lead: JC</p> <p>4. Intranet Development: Actions are underway to develop the intranet page to ensure clear and accessible information is available to staff. This aims to support the Trust's communication strategy further. Lead: JC</p>
Have a strategy to improve your FTSU culture					

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<p>The Board can evidence it has a comprehensive and up-to-date strategy to improve its FTSU culture. Evidence should demonstrate:</p> <ul style="list-style-type: none"> • as a minimum – the draft strategy was shared with key stakeholders • the strategy has been discussed and agreed by the Board • the strategy is linked to or embedded within other relevant strategies • the Board is regularly updated by the executive lead on the progress against the strategy as a whole • the executive lead oversees the regular evaluation of what the strategy has achieved using a range of qualitative and quantitative measures. 	P7 Section 4	Fully met 22.07.20	Annual review date July 2021	<ol style="list-style-type: none"> 1. Regular strategy updates are provided to the Board; supported by the Executive Lead and approved by the Board. 2. The overarching Trust People Priorities contains specific measures relating to FTSU (People Priority 4, 'Free from Discrimination'). 3. The strategy's progress is assured via the Workforce Committee, consisting of executive and non-executive members, (including the executive and non-executive FTSU Leads). This Group also ensure required links are made with other relevant strategies sub-committees/networks/groups, and reviews quantitative and qualitative data in relation to FTSU. 	
Support your FTSU Guardian					
The executive team can evidence they actively support their FTSU Guardian. Evidence should	p7 Section 1	Fully met 22.07.20	Annual review date July	<ol style="list-style-type: none"> 1. The executive team supported the increasing of the FTSU Guardian's dedicated hours. 	

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<p>demonstrate:</p> <ul style="list-style-type: none"> they have carefully evaluated whether their Guardian/champions have enough ringfenced time to carry out all aspects of their role effectively the Guardian has been given time and resource to complete training and development there is support available to enable the Guardian to reflect on the emotional aspects of their role there are regular meetings between the Guardian and key executives as well as the non-executive lead. individual executives have enabled the Guardian to escalate patient safety matters and to ensure that speaking up cases are progressed in a timely manner they have enabled the Guardian to have access to anonymised patient safety and employee 	<p>Section 2</p> <p>Section 5</p>		2021	<ol style="list-style-type: none"> The Guardian attends Regional and National training events and conferences. The Board supported FTSU Leads to receive refresher training, and to train champions, with continuous plans to train more. Regular Coaching and Psychological Support sessions are provided to the Guardian. 1:1 meetings take place between the Guardian, the CEO, Chair, Director and NED. Open access is provided to relevant Directors when dealing with individual concerns. The Guardian has regular access to Regional and National training events. The Guardian has open access to anonymised patient safety and employee relations data for triangulation purposes. The Guardian is an Accredited FTSUG trainer, and Vice Chair of Regional Guardian Network. The Guardian is able to raise issues directly with the relevant HR Business Partner, the Medical Director, Chief Nurse, the HR Director/FTSU Executive Lead and any other relevant executives. 	

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<p>relations data for triangulation purposes</p> <ul style="list-style-type: none"> the Guardian is enabled to develop external relationships and attend National Guardian related events 					
Be assured your FTSU culture is healthy and effective					
<p>Evidence that you have a speaking up policy that reflects the minimum standards set out by NHS Improvement. Evidence should demonstrate:</p> <ul style="list-style-type: none"> that the policy is up to date and has been reviewed at least every two years reviews have been informed by feedback from workers who have spoken up, audits, quality assurance findings and gap analysis against recommendations from the National Guardian. 	P8 Section 8 National policy	Partially met 22.07.20	Annual review date July 2021	<ol style="list-style-type: none"> The Trust policy is modelled on NGO policy, contained in LTHT Policy review cycle, and is embedded in our People Priorities plan. All policies are reviewed by Staff Side. 	<ol style="list-style-type: none"> The externally commissioned Peer and Process Review planned to be implemented will additionally be utilised to inform this process and policy. Lead: JC
<p>Evidence that you receive assurance to demonstrate that the speaking up culture is healthy and effective. Evidence should demonstrate:</p>	P8 Section 6	Partially met 22.07.20	Annual review date July 2021	<ol style="list-style-type: none"> Regular updates are provided to the Board with regards to the improvement strategy, supported by the Executive Lead. The overarching Trust People strategy consists of specific measures relating to FTSU (People 	Although all required assurance is gained and the required mechanism for staff to speak up are in place, the latest Staff Survey results regarding violence amongst colleagues, and the amount of individuals who report such

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<ul style="list-style-type: none"> • you receive a variety of assurance • assurance in relation to FTSU is appropriately triangulated with assurance in relation to patient experience/safety and worker experience. • you map and assess your assurance to ensure there are no gaps and you flex the amount of assurance you require to suit your current circumstances. • you have gathered further assurance during times of change or when there has been a negative outcome of an investigation or inspection. • you evaluate gaps in assurance and manage any risks identified, adding them to the Trust's risk register where appropriate. 				<p>Priority 4, 'Free from Discrimination'). These measures are informed by the NHS Staff Survey.</p> <ol style="list-style-type: none"> 3. The People Priorities are assured via the Workforce Committee, consisting of executive and non-executive members, (including the executive and non-executive FTSU Leads). This therefore includes assurance of FTSU, and is the forum to triangulate FTSU action with all areas of the People Priorities, ensuring there are no gaps. 4. The Staff Engagement Group (sub-committee) is the sub-committee responsible for assuring FTSU matters. 5. Staff Side assurance: All action is shared with Staff Side for consultation, as well as with other relevant Centres of Excellence/networks/sub-committees (of the Workforce Committee) for continual support and progress. 6. Risks are added to the Trust's risk register where appropriate. 7. Quarterly data submissions take place between the Guardian and the national office, who write back to the CEO with the results. 8. Additional assurance has is gained/flexed under certain circumstances: for example, following the 2019 Staff Survey results regarding violence amongst colleagues. Such circumstances led us to review the bigger picture, to ensure all elements of safety and wellbeing 	<p>instances suggests to us that we have much more work to do. Therefore we propose the following actions, as additionally outlined above:</p> <ol style="list-style-type: none"> 1. Peer and Process Reviews: actions are underway to develop and establish an externally commissioned peer and process review. This will include a review of the champions/Guardian/leads model and gaining a deeper understanding of processes such as handling claims of detriment to those who have spoken up. Lead: JC 2. Identified Trust-wide Improvement: The 2019 survey results identified required improvement regarding violence amongst colleagues, and encouraging staff to speak up about such instances. A steering group was established, meeting for the first time in March. Although paused during our initial COVID-19 response, the Staff Engagement Group are clear this work needs to continue, and will start with a Trust wide transparent communications campaign relaying the results, the Trust's values and behaviours, and routes to speak up, with senior

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				were reviewed and complimentary to one another. A steering Group was developed inviting various Trust experts to ensure appropriate progress and actions were established.	leadership presence to support the message. Lead: RM
The Board can evidence the Guardian attends Board meetings, at least every six months, and presents a comprehensive report.	P8 Section 7	Fully met 22.07.20	Annual review date July 2021	Comprehensive reports are presented at Board, with attendance from the Guardian at least every six months, which can be evidenced by meeting minutes and papers.	
The Board can evidence the FTSU Guardian role has been implemented using a fair recruitment process in accordance with the example job description (JD) and other guidance published by the National Guardian.	Section 1 NGO JD	Fully met 22.07.20	Annual review date July 2021	Initial appointments predated guidance/JDs from National Guardians Office, however followed the Trust's fair recruitment process. Future appointments will follow the established process using the published FTSU guidance and example job description.	
The Board can evidence they receive gap analysis in relation to guidance and reports from the National Guardian.	Section 7	Partially met 22.07.20	Annual review date July 2021	Review of data reports and themes are completed quarterly.	Case Reviews, published by NGO, to be included in 1:1s with Executives and NED. Lead: JC
Be open and transparent					
The Trust can evidence how it has been open and transparent in relation to concerns raised by its workers. Evidence should demonstrate:	P9	Fully met 22.07.20		<ol style="list-style-type: none"> 1. Regular reports are submitted to Board, and information shared with CQC and the CCG. 2. Discussions take place with relevant oversight organisation- the National Guardians Office and CQC upon their visits, with attendance at 	

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<ul style="list-style-type: none"> discussion with relevant oversight organisation discussion within relevant peer networks content in the Trust's annual report content on the Trust's website discussion at the Public Board welcoming engagement with the National Guardian and her staff 				<p>national meetings by Guardian.</p> <ol style="list-style-type: none"> Discussion within relevant peer networks take place as described above. FTSU content is present within the Trust's annual report. FTSU discussion takes place at the Public Board. The National Guardian was invited to the Trust Board to ensure welcoming engagement. The Trust website highlights the non-executive's additional role and duties as FTSU Lead, alongside membership on the Board. 	
Individual responsibilities					
The chair, chief executive, executive lead for FTSU, Non-executive lead for FTSU, HR/OD director, medical director and director of nursing should evidence that they have considered how they meet the various responsibilities associated with their role as part of their appraisal.	Section 1	Fully met 22.07.20	Annual review date July 2021	<ol style="list-style-type: none"> Appraisals and 360 feedback: Executives are appraised using the respectful behaviours underpinning our Leeds way values; one of which is specifically titled 'Speak Up'. Executive and non-executive appraisals additionally include 360 feedback, which further supports the identification of development needs, enables consideration of peer feedback and evidence, and importantly provides an opportunity for peers to constructively and compassionately challenge one another. Regular 1:1 meetings: which take place between the CEO, Chair Executive and NED supports the above considerations additionally 	

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				taking place for NEDs also.	