

# Freedom to Speak up Strategy 2021-2024

November 2021 Estelle Myers

Freedom to speak up guardian lead



**National  
Guardian**

Freedom to Speak Up

## Freedom to Speak Up (FTSU) mission and values

Our mission is to develop an open culture and make Freedom to Speak Up (FTSU) business as usual. This supports the delivery of the Trust's Strategic Objective of Making the Trust a Great Place to Work.

Our vision is that everyone in the Trust feels safe to raise a concern with anyone and know that they will be listened to, taken seriously and the issue is acted upon appropriately.

Both the mission and vision are built on a foundation of the Trust Values:

- We put people first and in the centre and know that families and carers matter
- We're respectful, honest, open, and transparent
- We constantly improve and aim to be outstanding so that we're relevant today and ready for tomorrow

### **The role of the Freedom to Speak Up Guardians.**

- Ensure all methods of speaking up are promoted.
- Raise the profile of FTSU.
- Provide advice and support in exploring concerns raised.
- Provide training on FTSU to all our staff.
- Learn and improve from patient and staff safety concerns.
- Engage with the National Guardian's office and the regional network to share best practice.
- Ensure timely concise feedback is delivered to those who raise concerns.
- Promote and develop the Speaking Up Policy and Procedure

### **The role of Trust Board Members.**

- Ensure all methods of speaking up are promoted
- Raise the profile of FTSU
- Provide advice and support in exploring concerns raised
- Support learning and improvements from patient and staff safety concerns
- Ensure timely concise feedback is delivered to those who raise concerns

- The Senior Non-Executive Director has an enhanced role within FTSU



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## Our strategy

To deliver our vision we will:

- Ensure staff are aware of the FTSU role and their responsibility to speak up.
- Provide communication on FTSU in a variety of ways.
- Promote FTSU e-learning for all staff and enhanced FTSU training for leaders.
- Ensure managers are clear about their roles and responsibilities when handling concerns and are supported to do so effectively.
- Share lessons learnt across the Trust to enhance the development of an open culture whilst respecting confidentiality.
- Ensure assurance processes are in place that oversee that the concerns raised are consistently and thoroughly investigated through the appropriate Trust processes.
- Receive and act on feedback from staff on FTSU to support improvement and learning.
- Regularly monitor and review FTSU policies.
- Develop the membership of the FSUG network which will include the lead Guardian alongside a range of staff including staff governors, representatives of staff equality networks and additional members co-opted as appropriate.

There are 10 principles of the FTSU Guardian role defined by the National Guardian's Office:

**1. Fairness**

FTSU Guardian teams appointed or selected in a fair and transparent way

**2. Conflict**

FTSU Guardians should guard against potential conflicts caused by holding additional roles

**3. Reach**

The FTSU message should reach everyone – development of a local network of advocates or ambassadors can help with this

**4. Diversity**

All staff groups, especially the most vulnerable, need routes to enable them to speak up, staff networks can support this

**5. Communication**

FTSU messages should be included in training and feedback on how it generates change should be disseminated regularly

**6. Partnerships**

FTSU Guardians need to develop strong partnerships with teams and individuals throughout their organisation

**7. Leadership**

All leaders in the organisation should demonstrate their commitment to FTSU and the CEO and NEDs will meet regularly with the FTSU Guardian

**8. Openness**

FTSU Guardians should present regular reports to their Board of Directors in person

**9. Feedback**

FTSU Guardians should gather feedback on their performance

**10. Time**

FTSU Guardians should have sufficient time and resource to meet the needs of workers in their organisation.

As a Trust we also work with several external organisations to support concern exploration where appropriate. These include:

- Regional and national FTSU networks
- National Guardian's Office
- FTSUGs in other trusts
- CQC
- NHS England & Improvement
- NHS Leadership Academy
- Partner Universities for student nurses, doctors and allied health professionals (AHPs).

Some of the measures that will be considered when exploring the impact of open cultures that embrace 'speaking up' include:

- Staff survey results
- Bullying and harassment reports
- Grievances
- Serious incidents
- Never events
- Issues raised to the CQC
- Exit interviews
- Incident reporting
- Retention figures
- Suspensions
- Litigation
- Number of issues raised to FTSU Guardian teams
- Feedback on those issues raised to FTSU Guardians
- National benchmarking data from the National Guardian's Office.

### **Reporting and Learning**

Freedom to speak up reports will be produced twice a year and shared with the board and across the Trust to help share learning, promote an open culture and foster one of learning through continuous improvement within the organisation.

### **Workforce Strategy**

This strategy is a supporting strategy of the wider Workforce Strategy - Great Place to Work themes of feeling safe; supportive team; keeping fit and well; developing my potential and my voice counts. It also aligns to the NHS People Plan and People Promise.

### **Continuous Improvement and Action Plans**

Each year an action plan will be produced to look at implementation of actions gained from triangulation of data both internal and externally including the National Guardian's Office. This will be monitored through the Workforce Remuneration Committee.

### **Equality and Inclusion**

This strategy is underpinned by our Trust Mission, Vision and Values and our commitment of ensuring Equality Diversity and Inclusion is at the heart of everything we do by supporting every member of staff to have a voice that counts.

**Equality Impact Assessment template to be completed for all policies, procedures and strategies**

**Date of assessment: 11 November 2021**

	<b>Equality Impact Assessment Questions:</b>	<b>Evidence based answers &amp; actions:</b>
1	<b>Name of the document that you are Equality Impact Assessing</b>	<b>Freedom to Speak Up Strategy as part of the Workforce Strategy</b>
2	<b>Describe the overall aim of your document and context?</b>  <b>Who will benefit from this policy/procedure/strategy?</b>	<b>The Workforce Strategy sets out the workforce strategic plan for the next 3 years based on the priority of Making SWYPFT a great place to work and incorporating the NHS People Plan and People Promise. The Freedom to Speak Up Strategy aligns with the Great Place to Work Essentials.</b>  <b>All staff across the Trust</b>
3	<b>Who is the overall lead for this assessment?</b>	<b>Lindsay Jensen</b>
4	<b>Who else was involved in conducting this assessment?</b>	<b>Estelle Myers, Freedom to Speak Up Guardian Paul Brown, HR Business Partner</b>
5	<b>Have you involved and consulted service users, carers, and staff in developing this policy/procedure/strategy?</b>  <b>What did you find out and how have you used this information?</b>	<b>The Trust undertook a huge engagement plan which involved more than half the workforce during 2019/20, including staff side organisations, to gain their insight in what they believe makes a great place to work. This included focus groups, questionnaires led by the Director of HR, OD and Estates and this was received very positively by staff colleagues. There were 5 key themes identified from the staff engagement and listening exercise on what people believe were the essentials of a Great Place to Work:</b> <ul style="list-style-type: none"> <li>➤ <b>Staff felt it was important to Feel Safe at Work by tackling violence, preventing bullying and harassment and having enough staff.</b></li> <li>➤ <b>Staff believed that it was important to be part of a Supportive Team with compassionate team leaders, effective team working and quality appraisal and supervision.</b></li> <li>➤ <b>Staff wanted support to Keep Fit and Well</b></li> </ul>

		<p>including being able to work flexibly and have a manageable workload.</p> <ul style="list-style-type: none"> <li>➤ Staff wanted support to Develop their Potential with flexible career pathways, investment in their training and recognition of talent.</li> <li>➤ Staff felt it was vital their Voice Counts and wanted to be listened to, engaged and involved in change.</li> </ul> <p>These 5 essentials have been developed into a series of organisational pledges built on a foundation of Values and Equality, Diversity and Inclusion. The pledges have been developed into strategic actions which will remain consistent over the next 3 years.</p> <p>Freedom to Speak Up Guardians have been in post since 2016 with a full-time post established in 2020. FTSUG have links to all staff networks FTSUG has links to Trust welcome event FTSUG attends the Workforce Remuneration Committee.</p>
6	<p>What equality data have you used to inform this equality impact assessment?</p>	<p>The annual Workforce Equality Report 2021, internal Trust data from feedback on Freedom to speak up cases 2019-2021 and Difference Matters National Guardian Office report 2021</p>
7	<p>What does this data say?</p>	<p>The equality report provides a comprehensive set of data on our workforce which allows us to measure changes from the previous year and describes the planned actions in 2021/22. The key headlines from the report are as follows:</p> <ul style="list-style-type: none"> <li>• Increase in starters from 598 to 664</li> <li>• Turnover is not significantly different from the previous year at 12.25%</li> <li>• 6.4% of staff declare themselves as disabled up from 6.1% previous year</li> <li>• Staff survey shows that disabled people have a worse experience than non-disabled staff in relation to bullying and harassment however, there has been an improvement on previous years.</li> <li>• Some small improvements in the data on bullying and harassment overall</li> <li>• Compared to local census demographics of the areas we cover white British representation at just over 89% is broadly similar.</li> <li>• Mixed race staff are under-represented by</li> </ul>

		<p>0.15%, Black staff are over-represented by 2.19% and South Asian staff are under-represented by 2.49%.</p> <ul style="list-style-type: none"> <li>• Looking at Trust demographics there is significant under-representation of South Asian staff in Kirklees/Calderdale.</li> <li>• Improvements in the number of staff reporting their religion and sexual orientation</li> <li>• Gender – stable at 21.5% male 78.5% female – which is similar to all NHS bodies.</li> <li>• 38.7% of staff are aged 50 or over.</li> <li>• No adverse barriers to training access for any of its staff regardless of their ethnicity, disability or sexuality. The number of courses accessed exceeds the Trust population for BAME and is not significantly different for disabled and LGBT+ staff.</li> </ul> <p><b><u>SWYPFT FTSU equality data (from a total of 14 responses).</u></b></p> <p>Age: 20-29 = 15%, 30-39 = 46%, 40-49 = 31% 50-59 = 8%</p> <p>White = 67% BAME = 33%</p> <p>Religion: no religion = 62%, Christian = 15%, Muslim = 15%, Hindu = 7%</p> <p>Disability = 0%</p> <p>Sexual Orientation = Heterosexual =71%, LGB = 14%, Prefer not to say = 14%</p> <p>Gender: Female = 79%, Male = 21%, Trans = 0%</p> <p>Caring responsibilities: Yes = 11%, No = 89%</p> <p>Pregnancy = 0%</p> <p>Had a baby in last 12months = 0%</p> <p>Marital status: single = 62.5%, married = 25%, co-habiting = 12.5%</p> <p><b><u>National data from Difference Matters report 2021:</u></b></p> <p>% of workers experiencing an issue and then raising it with a FTSUG</p> <p>Yes, I considered raising it and did White = 42.86%, BAME = 37.7%</p> <p>Yes, I considered it raising it but didn't White =</p>
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			<p>34.8%, BAME = 29.51%          No, I did not consider raising the issue White = 13.84%, BAME = 18.03%          Other White = 8.93%, BAME = 14.75%</p> <p>% of issues involving people being treated differently because of their race, nationality, or ethnicity          Yes White = 8.41%, BAME = 54.55%          No White = 79.65%, BAME = 19.01%          Not sure White = 11.95% BAME = 26.45%</p> <p>% of respondents saying they would be more likely to raise a concern with a Freedom to Speak Up Guardian who was of the same ethnicity as themselves          Yes White = 6.80%, BAME = 40.93%          No White = 84.13%, BAME = 39.90%          Not sure White = 9.07%, BAME = 19.17%</p> <p>Factors that would (or did) affect people's decision to speak up to a Freedom to Speak Up Guardian          I did not think the FTSUG would understand my concern White = 6.12% BAME = 12.65%          I did not think the FTSUG would take my concerns seriously White = 11.31%, BAME = 18.67%          I did not understand the FTSUG role White = 11.93%, BAME = 18.67%          I was worried about repercussions from my colleagues White = 29.66%, BAME = 24.70%          I was worried about repercussions from my line manager/ other leaders White = 62.39%, BAME = 60.24%          I did not want to be seen as a trouble maker White = 54.74%, BAME = 52.41%          I felt pressured not to make a fuss White = 21.10%, BAME = 21.69%          I did not believe anything would change White = 60.86%, BAME = 62.35%</p>
8	Taking into account the information gathered above, could this policy /procedure/strategy affect any of the following equality group unfavourably:	No	The Workforce strategy is built on foundations of our Trust values and Equality, Diversity and Inclusion and therefore should not affect any of the equality groups unfavourably. The intent is to improve the experience of all staff with particular emphasis on those where our data and staff feedback is showing we need to improve. There will be an annual delivery/implementation plan for

			each of the three years which will have performance and outcome measures delivered through a Workforce Strategic Group. Below are the actions and plan for each of the groups:
8.1	Race	No	<p><b>Trust Workforce Data</b></p> <ul style="list-style-type: none"> <li>Mixed race staff are under-represented by 0.15%, Black staff are over-represented by 2.19% and South Asian staff are under-represented by 2.49%.</li> <li>Looking at trust demographics there is significant under-representation of South Asian staff in Kirklees/Calderdale.</li> </ul> <p><b>SWYPFT FTSU Data (total of 14responses)</b> White = 67% BAME = 33%</p> <p>In the Trust a higher proportion of BAME staff have raised concerns compared to the workforce profile however there were only a small number of responses which may skew the data.</p> <p>In comparison National data from Difference Matters report 2021 indicates: % of workers experiencing an issue and then raising it with a FTSUG Yes, I considered raising it and did White = 42.86%, BAME = 37.7% Yes, I considered it raising it but didn't White = 34.8%, BAME = 29.51% No, I did not consider raising the issue White = 13.84%, BAME = 18.03% Other White = 8.93%, BAME = 14.75%</p> <p>% of issues involving people being treated differently because of their race, nationality, or ethnicity Yes White = 8.41%, BAME = 54.55% No White = 79.65%, BAME = 19.01% Not sure White = 11.95% BAME = 26.45%</p> <p>% of respondents saying they would be more likely to raise a concern with a Freedom to Speak Up Guardian who was of the same ethnicity as themselves Yes White = 6.80%, BAME = 40.93% No White = 84.13%, BAME = 39.90% Not sure White = 9.07%, BAME = 19.17%</p>

		<p>Factors that would (or did) affect people’s decision to speak up to a Freedom to Speak Up Guardian  I did not think the FTSUG would understand my concern White = 6.12% BAME = 12.65%  I did not think the FTSUG would take my concerns seriously White =11.31%, BAME = 18.67%  I did not understand the FTSUG role White = 11.93%, BAME = 18.67%  I was worried about repercussions from my colleagues White = 29.66%, BAME = 24.70%  I was worried about repercussions from my line manager/ other leaders White = 62.39%, BAME = 60.24%  I did not want to be seen as a trouble maker White = 54.74%, BAME = 52.41%  I felt pressured not to make a fuss White = 21.10%, BAME = 21.69%  I did not believe anything would change White = 60.86%, BAME = 62.35%</p> <p>Nationally it can be seen that BAME staff are less likely to come forwards with a concern of feel that they will be treated fairly when they do and would prefer someone from the same ethnic background.</p> <p><b>Our actions:</b></p> <p>In the Trust our aim is over the next three years to improve representation of staff from ethnic minority backgrounds and staff experience across all levels of the organisation by delivering positive programmes aligned to the Great Place to work that supports staff already working in the Trust and attracting new employees. This includes a review of our recruitment and retention and disciplinary policies and processes, reducing bullying and harassment, targeted health and wellbeing.</p> <p>We have a range of development opportunities through Moving Forward programmes, career conversations, inclusive leadership and management development, reciprocal mentoring programmes across the Trust to support BAME colleagues to apply for leadership roles.</p> <p>There is a well-established and mature BAME staff network where staff feedback is provided regularly to the Director of HR and OD and to the Board.  Leaders</p>
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			<p>To support BAME staff to speak up and feel confident and trusted in doing so, we have increased our BAME representation through the appointment of a full-time Freedom to Speak Up Guardian, WRES OD Lead and BAME Health and Wellbeing Practitioner. All are part of the BAME staff network. We have appointed Civility and Respect Champions (2 out of the 12) are from a BAME background.</p> <p>The Race Forward programme and the appointment of Equity Guardians in services supports staff to speak out and report racist behaviour from service users and others. We have a WRES action plan in place which is monitored through the Equality, Inclusion and Involvement Committee.</p> <p>To further raise the profile for BAME colleagues: FTSUG attends BAME staff network events. FTSUG attends Trust welcome event FTSUG plans to attend Virtual Recruitment Fair and is part of a joint task group looking improving our bullying and harassment policy and procedures.</p>
8.2	Disability	No	<p>Trust Workforce data:</p> <ul style="list-style-type: none"> <li>• 6.4% of staff declare themselves as disabled up from 6.1% previous year</li> <li>• Staff survey shows that disabled people have a worse experience than non-disabled staff in relation to bullying and harassment however, there has been an improvement on previous years.</li> </ul> <p>FTSU data from 14 respondents None of the respondents in the Trust FTSU data reported having a disability.</p> <p>Nationally disability was not looked at.</p> <p>Our actions: The workforce strategy supports disabled staff to have a voice and influence the organisation through the development and support of the Disability Staff network. The launch of a new disability and reasonable adjustments policy. The positive programmes aligned to the Great Place to work also supports disabled colleagues in the Trust and attracting new employees. This includes</p>

			<p>a review of our recruitment and retention disciplinary policies and processes, reducing bullying and harassment, targeted health and wellbeing offers and support, career conversations, inclusive leadership and management development programmes. The development and launch of Civility and Respect Champions.</p> <p>FTSUG attends Disability staff network</p>
8.3	Gender	No	<p><b>Workforce Data:</b></p> <ul style="list-style-type: none"> <li>Gender – stable at 21.5% male 78.5% female – which is like all NHS bodies.</li> </ul> <p><b>FTSU data based on 14 respondents:</b> Gender: Female = 79%, Male = 21%, Trans = 0%</p> <p>The gender split of Trust FTSU cases is broadly similar to the overall workforce.</p> <p>Nationally gender was not looked at.</p> <p><b>Our actions:</b> The workforce strategy supports our staff through developing and extending flexible and agile working across the Trust building on the learning from how we have worked during the pandemic. More generally the positive programmes described above will also apply. Additionally, the offer of enhanced health and wellbeing initiatives focussed on supporting women’s and men’s health, such as a menopause group.</p>
8.4	Age	No	<p><b>Workforce Data:</b></p> <ul style="list-style-type: none"> <li>38.7% of staff are aged 50 or over.</li> </ul> <p><b>FTSU Data based on 14 respondents:</b> Age: 20-29 = 15%, 30-39 = 46%, 40-49 = 31% 50-59 = 8%</p> <p>The highest proportion of Trust staff speaking up are in 30-39 age bracket.</p> <p>Nationally this was not looked at.</p> <p><b>Our actions:</b> Developing and extending flexible working and the supporting the development of the Carers’ network. Enhanced health and wellbeing offer for</p>

			all staff.
8.5	Sexual orientation	No	<p>FTSU Trust data too limited to make a judgement.</p> <p>Nationally this was not looked at</p> <p><b>Our actions:</b> Developing and extending flexible working and the supporting the LGBT+ network. The offer of enhanced health and wellbeing initiatives focussed on supporting women's and men's health. The development and launch of Civility and Respect Champions. FTSUG to attend LGBT+ staff network.</p>
8.6	Religion or belief	No	<p><b>Workforce Data:</b></p> <ul style="list-style-type: none"> <li>Improvements in the number of staff reporting their religion and sexual orientation</li> </ul> <p>FTSU data based on 14 respondents: Religion: no religion = 62%, Christian = 15% Most Trust cases stated no religion.</p> <p>Nationally this was not looked at.</p> <p><b>Our actions:</b> Developing an open and transparent culture through creating supportive teams. The development and launch of Civility and Respect Champions.</p>
8.7	Transgender	No	<p>FTSU data based on 14 respondents: Trans = 0% None of the Trust cases identified as Trans</p> <p>Nationally this was not looked at.</p> <p><b>Our actions:</b> Developing a new Transgender Policy in collaboration with staff side and the LGBT+ network. Raising awareness of transgender issues through sessions supported by the equality and engagement team. The offer of enhanced health and wellbeing initiatives focussed on supporting women's and men's health. The development and launch of Civility and Respect Champions.</p>

8.8	Maternity & Pregnancy	No	<p>FTSU data based on 14 respondents:            Pregnancy = 0%            Had a baby in last 12months = 0%            None of the Trust cases reported this characteristic</p> <p>Nationally this was not looked at            Our actions:</p> <p>Developing and extending flexible and agile working and the supporting the development of the Carers network.</p>
8.9	Marriage & civil partnerships	No	<p>FTSU data based on 14 respondents:            Marital status: single = 62.5%, married = 25%, co-habiting = 12.5%            A higher proportion of Trust cases were from staff identifying as single.</p> <p>Nationally this was not looked at.            Our actions:</p> <p>Developing an open and transparent culture through creating supportive teams. Development and launch of Civility and Respect Champions.</p>
8.10	Carers (Our Trust requirement)	No	<p>FTSU data based on 14 respondents:            Caring responsibilities: Yes = 11%, No = 89%            11% of Trust cases report being a carer.</p> <p>Nationally this was not looked at.</p> <p>Our actions:            Developing and extending flexible working and supporting the development of the Carers' network. Working in partnership with the staff carers' network to promote and embed the staff carers' passport. Work in partnership with the equality and engagement team to appoint a Carers' Project Management Officer in 2021 to further develop trust support to working carers. The staff carers' passport enables people in a caring role to keep a record of contact details for them and the person they care for, details of local help and support groups and useful information close to hand. The Trust also has a Staff Carers' Network. FSTUG to attend Carers' network</p>

9	What monitoring arrangements are you implementing or already have in place to ensure that this policy/procedure/strategy:-	<p>A set of metrics and measures will be developed to support the delivery of the workforce strategy and making SWYPFT a great place to work.</p> <p>FTSU reports are regularly submitted to Workforce Remuneration Committee and Trust Board.</p> <p>Annual review of staff survey data, exit interview data, information from making a difference group and relevant Datix reports.</p>
9a	Promotes equality of opportunity for people who share the above protected characteristics;	<p>We produce a Workforce Equality Report annually and WRES and WDES plans that provide data to supports us to develop equality of opportunity and a learning needs analysis by service. We also use staff feedback and insight through many forums, partnership groups, staff side, our staff networks, NHS survey and other surveys.</p> <p>Linking with the Civility and Respect Champions who from a diverse background to signpost to correct avenue.</p>
9b	Eliminates discrimination, harassment and bullying for people who share the above protected characteristics;	<p>As above and supported by the WRES OD Lead, and BAME H&amp;WB practitioner, Carers' Project Management Officer, staff equality networks and the establishment of Civility and Respect Champions and Equity Guardians across the Trust.</p> <p>Civility and Respect Champions and embedding open organisational culture identity and ensure action where a closed culture is identified.</p>
9c	Promotes good relations between different equality groups;	<p>Collaboration between staff networks. Good partnership working with trade unions and staff side.</p> <p>FTSUG and Civility and Respect Champions are recruited from diverse networks. FTSUG to attend staff network meetings to promote the importance of raising concerns (speaking up) and the support available.</p>
9d	Public Sector Equality Duty – “Due Regard”	This will be achieved through the development of a series of staff pledges for a Great Place to Work



		built on a foundation of Values and Equality, Diversity and Inclusion
10	Have you developed an Action Plan arising from this assessment?	An annual delivery plan will be developed each year of the life of the strategy annual which will be informed by our workforce equality data, WRES and WDES requirements and data from FTSU Guardians.  Annual plan for FTSU.
11	Assessment/Action Plan approved by (Director Lead)	Lindsay Jensen Interim Director of HR and OD  Sign: Date: 22 November 2021
12	<i>Once approved, you <b>must</b> forward a copy of this Assessment/Action Plan to the partnerships team: <a href="mailto:partnerships@swyt.nhs.uk">partnerships@swyt.nhs.uk</a></i>  Please note that the EIA is a public document and will be published on the web. Failing to complete an EIA could expose the Trust to future legal challenge.	