

## ‘Freedom to Speak Up’

### STH Action Plan

	Recommendation	Current Position	RAG Rating	Action Required
1.	Boards should ensure that progress in creating and maintaining a safe learning culture is measured, monitored and published on a regular basis.	A range of activities already in place, e.g. a Microsystems Academy / Sign up to Safety	A	Need to bring together into a coherent set of arrangements. <b>Action: Sandi Carman</b>
2.	Every NHS organisation should have an integrated policy and a common procedure for employees to formally report incidents or raise concerns. In formulating that policy and procedure organisations should have regard to the descriptions of good practice in this report.	Existing policy “Raising Concerns at Work” in place  Incident Management policy in place which cross references to ‘Raising Concerns at Work’ policy.	A	Policy revised and coming to September TEG / October Board for approval. <b>Action: Mark Gwilliam</b>
3.	Bullying of staff should consistently be considered, and be shown to be, unacceptable. All NHS organisations should be proactive in detecting and changing behaviours which amount, collectively or individually, to bullying or any form of deterrence against reporting incidents and raising concerns; and should have regard to the descriptions of good practice in this report.	Acceptable behaviour policy in place. Regular communication of policy included within staff engagement action plan.	G	Policy and continuing monitoring in place.
4.	Any evidence that bullying has been condoned or covered up should be taken into consideration when assessing whether someone is a fit and proper person to hold a post at director level in	“Fit and Proper Persons” arrangements in place	G	Completed

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	an NHS organisation.			
5.	Employers should ensure and be able to demonstrate that staff have open access to senior leaders in order to raise concerns, informally and formally.	Part of staff engagement, particularly Listening into Action.	A	Strengthened via Freedom to Speak Up implementation plan. <b>Action: Andrew Cash</b>
6.	Boards should consider and implement ways in which the raising of concerns can be publicly celebrated.	Current arrangements do not include 'publicly celebrated'	R	To be addressed in Freedom to Speak Up implementation plan. <b>Action: Hilary Chapman</b>
7.	All NHS organisations should provide the resources, support and facilities to enable staff to engage in reflective practice with their colleagues and their teams.	A range of arrangements currently in place.	A	To be addressed in Freedom to Speak Up implementation plan. <b>Action: Hilary Chapman</b>
8.	Staff should be encouraged to raise concerns informally and work together with colleagues to find solutions.	Part of staff engagement, particularly Listening into Action.	G	Continued development of Listening into Action programme. <b>Action: Mark Gwilliam</b>
9.	All NHS organisations should have a clear process for recording all formal reports of incidents and concerns, and for sharing that record with the person who reported the matter, in line with the good practice in this report.	Incident Management policy and procedures in place.	A	Action required to ensure all directorates proactively feedback to staff who report incidents. <b>Action: Sandi Carman</b>
10.	All NHS organisations should devise and implement systems which enable such investigations to be undertaken, where appropriate by external investigators, and have regard to the good practice suggested in this report.	Systems in place	A	Review system to incorporate good practice in this report. <b>Action: Neil Riley / Mark Gwilliam</b>

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11.	<p>All NHS organisations should have access to resources to deploy alternative dispute resolution techniques, including mediation and reconciliation to:</p> <ul style="list-style-type: none"> <li>• Address unresolved disputes between staff or between staff and management as a result of or associated with a report raising concern</li> <li>• Repair trust and build constructive relationships.</li> </ul>	Mediation service in place via Learning and Development department	G	<p>Ensure mediation service publicised to ensure optimum usage.</p> <p><b>Action: Mark Gwilliam</b></p>
12.	<p>Every NHS organisation should provide training which complies with national standards, based on a curriculum devised jointly by HEE and NHS England in consultation with stakeholders. This should be in accordance with the good practice set out in this report.</p>	There is an implementation plan in draft format which includes training via corporate induction and mandatory training.	A	<p>Ensure implementation plan and training proposal is agreed, resourced and implemented.</p>
13.	<p>The Boards of all NHS organisations should ensure that their procedures for raising concerns offer a variety of personnel, internal and external, to support staff who raise concerns including:</p> <p>a) A person (a 'Freedom to Speak Up Guardian') appointed by the organisation's Chief Executive to act in a genuinely independent capacity.</p>	Discussion taking place re ensuring effective and appropriate appointment to this role.	A	<p>"Freedom to Speak Up" Guardian to be appointed by the end of November 2015.</p>

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	b) A nominated Non-Executive Director to receive reports of concerns directly from employees (of from the Freedom to Speak Up Guardian) and to make regular reports on concerns raised by staff and the organisation's culture to the Board.	Chair of Healthcare Governance Committee (Annette Laban) appointed	G	Completed
	c) At least one nominated Executive Director to receive and handle concerns.	Chief Nurse appointed	G	Completed
	d) At least one nominated Manager in each department to receive reports of concerns.	Appropriate arrangements under consideration.	A	Arrangements in place by end of November 2015.
	e) A nominated independent external organisation (such as the Whistleblowing Helpline) whom staff can approach for advice and support.	Public Concern at Work identified in updated policy.	G	Completed.
14.	All NHS organisations should have access to resources to deploy counselling and other means of addressing stress and reducing the risk of resulting illness after staff have raised a concern.	Part of Health and Wellbeing Strategy. Access to workplace wellbeing and psychological support via Occupational Health in place.  Supporting staff involved in incidents, complaints and claims policy in place.	A	Health and Wellbeing strategy to be strengthened. <b>Action: Karen Barnard</b> Policy requires updating <b>Action: Sandi Carman</b>
15.	All NHS organisations should actively support a scheme to help current and former NHS workers whose performance is sound to find alternative employment in the NHS.	Appropriate arrangements under consideration.	A	Arrangements in place by Nov 2015. <b>Action: Karen Barnard</b>

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16.	All NHS organisations are obliged to publish Quality Accounts or equivalent should include in them quantitative and qualitative data describing the number of formally reported concerns in addition to incident reports, the action taken in respect of them and feedback on the outcome.	Not included in the 2015/15 Quality Report	A	To include in 2015/16 Quality Report. <b>Action: Sandi Carman / Mark Gwilliam</b>
17.	All NHS organisations should be required to report to the National Learning and Reporting System (NLRS), or to the Independent National Officer described in Principle 15, their relevant regulators and their commissioners any formally reported concerns / public interest disclosures or incidences of disputed outcomes to investigations. NLRS or the Independent National Officer should publish regular reports on the performance of organisations with regard to the raising of and acting on public interest concerns; drawn out themes that emerge from the reports; and identify good practice.	NRLS reporting and national submission in place.	A	Consideration to be given to inclusion of reporting concerns on Incident Management System (Datix). <b>Action: Sandi Carman / Mark Gwilliam</b>
18.	a) CEOs should personally review all settlement agreements made in an employment context that contain confidentiality clauses to satisfy themselves that such clauses are genuinely in the public interest.	In place	G	Completed
	b) All such settlement agreements should be available for inspection by the CQC as part of their assessment of whether an organisation is well-led.	In place	G	Completed

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	c) If confidentiality clauses are to be included in such settlement agreements for which Treasury approval is required, the Trust should be required to demonstrate as part of the approval process that such clauses are in the public interest in that particular case.	In place	G	Completed
19.	Employers should ensure that staff who are responsible for, participate in, or permit such conduct are liable to appropriate and proportionate disciplinary process.	In place	G	Completed
20.	Trust Boards, CQC, Monitor and the NHS TDA should have regard to any evidence of responsibility for, participation in or permitting such conduct in any assessment of whether a person is a fit and proper person to hold an appointment as a director or equivalent in accordance with the Health and Social Care Act 2008 [Regulated Activities] Regulations 2014 regulation 5.	Fit and Proper Persons arrangements in place	G	Completed
21.	All organisations associated with the provision, oversight or regulation of healthcare services should have regard to any evidence of poor conduct in relation to staff who have raised concerns when deciding whether it is appropriate to employ any person to a senior management or leadership position and whether the organisation is well-led.	Fit and Proper Persons arrangements in place	G	Completed

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