

Integrated Care Board

Date of meeting	13 November 2024
Title of paper	Freedom to Speak Up Annual Report
Presented by	Dr David Levy, Freedom to Speak Up Executive Lead
Author	Dr David Levy, Freedom to Speak Up Executive Lead Andrea Anderson, Director of People – Place and Programmes Sarah Mattocks, Freedom to Speak Up Guardian Rachel Holyhead, Freedom to Speak Up Guardian
Agenda item	15
Confidential	No

Executive summary

This paper provides an annual overview of the developments in relation to the establishment of NHS Lancashire and South Cumbria Integrated Care Board's (LSC ICB) speaking up processes. This includes the developments that have been made in the Freedom to Speak Up (FTSU) workplan, which includes scoping the reflection and planning tool published by the National Guardian's Office, raising awareness of the service via proactive mechanisms, and responding to concerns raised.

The LSC ICB is continuing to establish and embed a robust FTSU process in line with NHS England and National Guardian's office guidance. This will ensure speaking up routes are available for all workers in NHS healthcare providers across the ICS, as well as ensuring ICB staff feel safe and confident to raise a concern.

The ICB is also undertaking an Organisational Development (OD) programme which is focussed on improving culture and experience for all staff.

Recommendations

The Board are asked to note the Freedom to Speak Up Annual Report.

Which Strategic Objective/s does the report relate to:		Tick
SO1	Improve quality, including safety, clinical outcomes, and patient experience	X
SO2	To equalise opportunities and clinical outcomes across the area	
SO3	Make working in Lancashire and South Cumbria an attractive and desirable option for existing and potential employees	X
SO4	Meet financial targets and deliver improved productivity	
SO5	Meet national and locally determined performance standards and targets	X
SO6	To develop and implement ambitious, deliverable strategies	X

Implications				
	Yes	No	N/A	Comments
Associated risks		X		
Are associated risks detailed on the ICB Risk Register?			X	
Financial Implications		X		
Where paper has been discussed (list other committees/forums that have discussed this paper)				
Meeting	Date		Outcomes	
NA				
Conflicts of interest associated with this report				
not applicable				
Impact assessments				
	Yes	No	N/A	Comments
Quality impact assessment completed			X	
Equality impact assessment completed			X	
Data privacy impact assessment completed			X	

Report authorised by:	Dr David Levy, Freedom to Speak Up Executive Lead
------------------------------	---

Integrated Care Board – 13 November 2024

Freedom to Speak Up Annual Report

1. Introduction

- 1.1 Freedom to speak up (FTSU) is an important part of creating a safe and open culture within the Lancashire and South Cumbria (L&SC) Integrated Care System. This paper provides an annual report to the Board on the progress made with systems and processes in this remit, and updates against the themes and trends related to speaking up and the actions being taken in this regard.
- 1.2 The purpose of the report is to provide developmental updates on how the guardian service works to embed a positive culture within the organisation. The report will highlight both the reactive and proactive elements offering greater assurance in relation to visibility within the organisation and the beginning of the foundations to enable a period of growth and maturity that will ensure the guardian service is equipped to undertake all the fundamental aspects of this role. The report also contains themes and trends from the People team and provides assurance against the work being undertaken on a comprehensive Organisational Development (OD) programme which is focussed on improving culture and experience for all staff.

2. Recommendations post Letby trial

- 2.1 The previous annual report submitted to the Board in September 2023 reported the immediate findings from the outcome of the Lucy Letby trial. The letter included that Boards were required to urgently ensure five specific actions were in place, the following table provides ongoing assurance against these actions:

Action	ICB continued response
All staff have easy access to information on how to speak up	<p>Dedicated intranet page which contains information on the service including how concerns can be raised and how they will be managed.</p> <p>Desktop icon to provide easy access to raise concerns via electronic referral form including the ability to remain anonymous.</p> <p>Regular reminders via staff briefings, corporate induction, and dedicated listening rooms.</p> <p>Guardian service has extended the provision to facilitate listening up to</p>

	concerns raised in primary care during the transition period from NHSE.
Relevant departments, such as Human Resources, and Freedom to Speak Up Guardians are aware of the national Speaking Up Support Scheme and actively refer individuals to the scheme	The service is aware of the scheme, to date none of the cases have been applicable to refer to the scheme.
Approaches or mechanisms are put in place to support those members of staff who may have cultural barriers to speaking up or who are in lower paid roles and may be less confident to do so, and also those who work unsociable hours and may not always be aware of or have access to the policy or processes supporting speaking up. Methods for communicating with staff to build healthy and supporting cultures where everyone feels safe to speak up should also be put in place.	<p>The champions are a key role for promoting the service locally to colleagues.</p> <p>The guardians work closely with the health and wellbeing team. The health and wellbeing lead is also a FTSU Champion.</p> <p>The guardians are also linked into the equality and diversity leads and signpost cases where applicable.</p> <p>The guardians undertake annual training which includes a module on equality, diversity, inclusion and belonging.</p> <p>Access to making a referral is via the ICB intranet page and desktop icon which is available at all times.</p>
Boards seek assurance that staff can speak up with confidence and whistleblowers are treated well.	Routine reporting to Board, Audit Committee and People Committee.
Boards are regularly reporting, reviewing and acting upon available data.	<p>Routine reporting to Board and People Committee.</p> <p>Regular meetings with Chief Executive and non executive lead to share and respond to issues raised and review workplan.</p>

2.2 The letter also reminded organisations of their responsibilities under the Fit and Proper Persons Test, for which the Board received an annual update at the meeting in July.

2.3 The Thirlwall inquiry into these events is underway with outcomes expected in due course and on publish of these the guardian service will respond.

3. Direction from NHS England

- 3.1 NHS England directed that ICBs must ensure their own staff have access to routes for speaking up including FTSU guardian(s), and associated arrangements by 30 January 2024. This was the key focus on commencement in post of the Guardians when appointed last year. The work in this regard is further explored in this report at section 4.
- 3.2 ICBs were also asked to consider arrangements for primary care workers to have access to speaking up services. The guardians have received a number of cases from primary care which are explored in further detail at section 5 of this report. The response to date has been to listen to these cases when raised with the ICB in order that staff with concerns have been heard, and then support and signpost these referrals to appropriate organisations (Care Quality Commission, Lancashire Medical Committee and NHS England for example).
- 3.3 ICBs were also asked to consider how assurance can be gained across the system for those NHS organisations within the ICS. In November 2023 Dr David Levy wrote to all Acute Providers in the system asking them to complete a survey around FTSU to quantify the arrangements in place. This provided reassurance that all providers had a provision in place for speaking up, including awareness raising of this provision, recording and reporting of themes and trends. A key aim for the ICB service for the next year is to build on the links with the providers to facilitate a more system wide approach to this agenda and for the ICB to build on its assurance role.
- 3.5 The North-West NHSE region has a FTSU Executive lead who holds regular meetings with the ICB FTSU Executive leads so we can be aware of differences to approach.

4. Freedom to Speak Up developments

- 4.1 The two ICB guardians received initial training during the summer of 2023 and are registered on the National Guardians Office portal with a requirement to undertake annual refresher training. In addition, they have also undertaken REACT mental health first aid training to enable them to recognise and be responsive where necessary to signpost staff to appropriate providers thus ensuring mental well-being support is offered. The Guardians are connected into the National and Regional networks, contributing, and sharing best practice.
- 4.2 The guardians are supported by the Executive Lead (Dr David Levy Medical Director) and Non Executive Lead (Professor Jane O'Brien Non Executive Member). Regular meetings take place to review progress on the implementation of systems and processes, assess themes and trends, and address any escalation required. Six monthly meetings have also been established between the Guardians and the Chief Executive to share any areas of concern.
- 4.3 ICBs were required to adopt the national policy for speaking up. This was adopted by the ICB via approval at People Board in November 2022. This policy has been reviewed with minor updates made in October 2024 to ensure the policy is reflective of the systems available to speak up within the ICB. On 2nd October NHS England issued a letter to all ICB Chairs asking ICBs to ensure that FTSU arrangements are in place for system partners in primary care

with three specific actions:

- Ensure that primary care workers are aware of and have access to speaking up routes.
- Generally, raise the profile of FTSU in primary care across your health system by identifying and sharing good practice examples which will already exist within many of your integrated care systems.
- Ensure you have appointed an executive lead to oversee this work, and identified who will work with ICBs to support it.

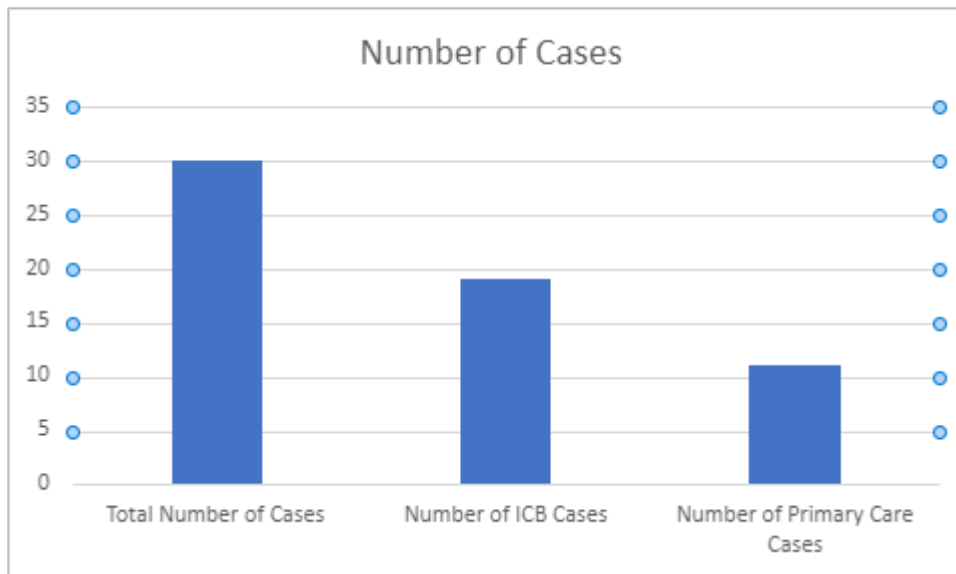
To allow the ICB time to consider how this will be met as no additional resources have been offered by NHSE, the updated policy with minor changes has been approved by the Executive Management for 6 months, with a subsequent full policy review to take place to consider this new guidance with submission to the Audit Committee for approval.

- 4.4 The ICB policy is supported by a Standard Operating Procedure which outlines the systems and processes in place to enable a 'speak up, listen up, follow up' service. This includes an electronic referral form to raise concerns, including the ability to submit this anonymously, and a flowchart on how those concerns will be managed including providing support and feedback to those who share their identity when raising a concern. The feedback element of the service is vital to build staff confidence in using the service.
- 4.5 The ICB systems and processes were reviewed by Mersey Internal Audit Agency and reported to the Audit Committee in March 2024. The audit provided a 'significant assurance' rating.
- 4.6 The guardians are building a network of champions. Currently there are seven registered champions in the organisation. This role acts as a point of contact for individuals who require advice and signposting to the support available. The champions act as a role model for creating an open, honest and transparent culture within the ICB which values speaking up. Particularly given the vast size of the ICB this role is crucial for providing that local support and advocacy for speaking up. The Guardians and Champions meet six-weekly and work together to support the embedding of an open culture for the ICB. Recruitment to the Champion role is ongoing to ensure the Champions reflect the diversity of our staff.
- 4.7 FTSU is now a standing item on the staff corporate induction which is a vital opportunity to introduce new staff to the service. These sessions are conducted by the guardians and champions to raise awareness of the agenda and to provide an overview of what the service can offer. The guardians have also facilitated dedicated 'listening rooms' for speaking up which provide all staff with a 'drop in' online opportunity to speak with the guardians for any learning on the service and what it can offer for individuals and the organisation.
- 4.8 October was national FTSU month. This year the focus was to link the speaking up service into the cultural re-set being undertaken in the ICB, with the speaking up service promoted at the ICB team development session on 8th

October, promotional aids with the tag line 'I am here to listen' throughout October, and a dedicated listening room on 4th November.

- 4.9 The capacity of the Guardian service has been reviewed with agreement for additional resources. Options are being reviewed to ensure that the service is sustainable with both proactive and reactive elements of the workplan met.
- 4.10 The National Guardians Office reflection and planning tool is being undertaken with the executive and non executive leads to identify the priority actions for the service for the year ahead to further embed an open and responsive listening culture.

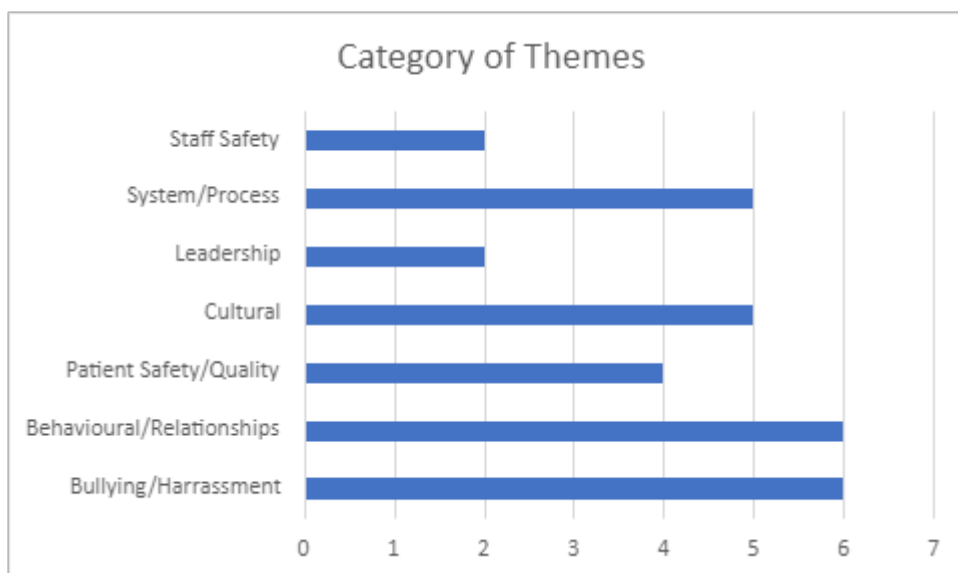
5. Themes, trends and lessons learnt



- 5.1 30 concerns have been raised during this reporting period (September 2023 to August 2024): 9 from GP practices, 2 from dentistry and 19 from internal ICB colleagues. These cases have been reported through a variety of means such as anonymous referral form and email contact. The last annual report submitted to the Board in September 2023 reported three concerns being raised; two from primary care and another from a non ICB member of staff. Hence the service has started to embed in the ICB over the last year with the increase in referrals.
- 5.2 The directorate breakdown below highlights the largest area reporting concerns within the ICB is within the chief nursing portfolio. This large portfolio has undergone significant organisational change since ICB establishment with the 'in-housing' of several services. The Chief Nurse facilitated a 'big conversation' on 13 June with the whole directorate invited to participate in a session encouraging staff to openly share views against the staff survey results and current ways of working. All directorates are conducting a session of the same nature as a result of the ICB's current organisational development programme.



5.3 Thematic analysis illustrates the greatest area of concern surrounds negative behaviours and cultures. The guardians work with each case identified to plan towards resolutions. The organisational development programme currently being implemented across the ICB will help to address some of the concerns raised in the cases featured in this data. The guardian service linked into this work with a focus on raising awareness of speaking up during October (national FTSU month). This table includes not just ICB concerns but those within primary care also.



5.4 The ICB has a comprehensive OD programme underway focusing on improving culture and experience for all staff which links to the concerns above in terms of culture and behaviour. It is important that staff have psychological safety at work and that alongside Freedom to speak up there is staff voice in the form of networks, pulse surveys and Wellbeing check ins and

that feedback from these are acted upon, for example the “Big conversation” action plans that are in place.

- 5.5 The ICB launched its OD work with a newly formed OD and Education team in September 24 via an All staff event in Blackpool on the 8th October where 600 staff attended. The session focused on connectivity, vision and values. Mop up sessions were delivered in October and the next phase of values workshops will run between November to January. Alongside this a Leadership forum has been developed open to all staff, talent and appraisal conversations have supported staff with clarity and development in role, and an internal People and Culture/ staff engagement and partnership forum has been embedded to co-design and engage on key HR and OD policy, process, survey feedback and people metrics internally. An internal Coaching hub is also being established.
- 5.6 The next phase of OD work develops the culture further by focusing on how staff currently experience values in the ICB in terms of behaviours and culture displayed and working with staff to co-design a behavioural framework and leadership charter/ compact. These values will then drive key processes such as recruitment, staff awards and recognition strategies as well as appraisals, embedding the positive culture and approach in all aspects of working lives. The values and how they deliver the strategic priorities and visions will also be explicitly linked and developed with staff.
- 5.7 The ICB overall has a low level of HR casework and overall sickness (2.87%) and turnover (7.2%). HR casework is increasing from zero slowly however the number of employees has doubled alongside this increase. There have been 3 performance, one grievance and one disciplinary HR cases which have been investigated and supported by the People Service function and investigating officers. The grievance related to bullying and harassment.
- 5.8 A number of teams have requested specific team OD support because team dynamics are strained or that teams have been re-designed or that new staff TUPE'd in. A small number of 1:1 facilitated discussions have been supported where relationships between colleagues have broken down at work. This support in key areas is being facilitated alongside the wider OD programme.

6. Committee reporting

- 6.1 Routine reporting of speaking up themes and trends is now in operation. Quarterly reporting is taking place to the People Committee. This is supporting the ICB's aim to work in liaison with system partners on the speaking up agenda as a range of partners are represented at this committee namely; provider, VCFSE, primary care, NHS England, local authority, staff side and NWS. An assurance update was also provided to the Audit Committee in November 2023 to support the committee in its role to review the adequacy and security of the ICB's arrangements. The Board also received an update in January 2024 to reflect the progress made by the Guardian service in developing a service with robust processes that are fit for purpose and strive to

ensure the ethos is embraced wholeheartedly, whilst noting the challenges such as capacity.

7. Conclusion

- 7.1 The ICB has seen the implementation of robust systems and processes for speaking up over the last year which are now being utilised across the organisation and externally. For the next year the focus will be to further embed these systems for the ICB, build links with the wider system including primary care, and to establish the resource model for the service going forward in light of the additional responsibilities from primary care.