



**Wirral Hospice
St John's**

SPEAK UP SPEAK OUT POLICY

Version No: 01

Executive summary and associated documents:				Wirral Hospice St John's Hospice is committed to being an open and transparent place to work, where all staff and volunteers are all actively encouraged and enabled to speak up safely. This policy outlines how and when to do. It identifies training required for all staff, managers and senior leaders, to support a speak out culture. This is a new policy replacing the previous Raising Concerns at Work Policy.			
Description of Amendment(s):		Amendments made: New policy		Date: 04.07.23			
This policy will impact on:		All Staff and volunteers					
Policy Area:		Organisational					
Effective Date:		21.08.23		Review Date:		21.08.26	
Responsible Person(s) for updating policy:		Director of Clinical Services and Director of Workforce					
Approval Record							
						Date:	
Ratified by:		Workforce Governance Committee			24 07.23		
		Board			21.08.23		



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St John's

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Version No: 01

Date Issued: 21.08.23 Review Date: 21.08.26

Policy Aim:

The aim of this policy is to: -

- Support a culture of speaking up throughout the hospice
- Ensure there are a range of speaking up processes across the organisation and that these are effective and continuously reviewed
- Ensure hospice staff are supported in line with NHS standards
- Ensure all staff and volunteers have the capability to speak up effectively and managers have the capability to listen and to support those who are speaking up
- Ensure that the Senior Leadership Team and Trustees are appropriately aware of matters raised through any speaking up – speaking out processes
- Allow staff and volunteers to speak up and raise any suggestions or ideas for improvement or to raise concerns about anything they think is harming the work we do
- Safeguard patient care and the hospice from undue harm
- Allow staff and volunteers to feel safe, when raising any concerns, from any form of reprisal as a result

Introduction:

Wirral Hospice St John's Hospice is committed to being an open and transparent place to work, where all staff and volunteers are all actively encouraged and enabled to speak up safely. This policy outlines the options on how to speak up.

This new Speak Up Speak Out policy, which replaces the previous hospice Raising Concerns at Work policy, covers the two key concepts of: -

- **Speaking Out:** Making suggestions that you feel will improve aspects of working or volunteering for WHSJ or receiving or accessing the services or support we provide.
- **Speaking Up:** Raising any concern that you feel negatively impact on working or volunteering for WHSJ or receiving or accessing the services or support we provide.

It also introduces the roles of: -

- **Freedom to Speak Up (FTSU) Guardians**
- **Freedom to Speak Up Senior Leaders**
- **Speak Out Trustee**

It identifies all the channels for speaking up and speaking out including the introduction of a Shareyourideas@wirralhospice.org email

The role of a FTSU Guardian is an expectation of the Care Quality Commission (CQC), as a standard for NHS Trusts and NHS contract holders. FTSU Guardians have to be appointed and complete training provided by the National Guardians Office and to be registered with them. Their role is to help: -

- Protect patient safety and the quality of care
- Improve the experience of workers
- Promote learning and improvement

By ensuring that: -

- Workers are supported in speaking up
- Barriers to speaking up are addressed
- A positive culture of speaking up is fostered
- Issues raised are used as opportunities for learning and improvement.

The policy identifies training required for all staff, managers and senior leaders, to support a speak out culture.

Scope and Responsibilities:

Board of Trustees and Chief Executive:

- The Board of Trustees and Chief Executive are ultimately responsible for assuring that this policy is complied with and that FTSU Guardian role is in place and the culture of speaking out is effective across the organisation and that concerns are acted upon appropriately.

Senior Leadership Team:

- It is the responsibility of the Senior Leadership Team to ensure the provision of and encourage the utilisation of all options for speaking out across the organisation, including the use of the FTSU Guardian and lead a culture of speaking up.

Departmental Managers:

- Ensuring all staff and volunteers in their area are fully aware of their responsibilities under the policy and procedures in place and encourage the speaking out culture.

All Staff & Volunteers:

- To be aware of this policy and processes it outlines and to use it when they feel the need to be supported in speaking up

Policy Statement:

Staff and volunteers are actively encouraged to **speak out** if they have any ideas or suggestions to improve any aspect of hospice services.

Speak Out Channels for Good Ideas: These suggestions and ideas can be raised by: -

- Telling your Line Manager.
- Telling a member of the Senior Leadership Team in person or via email.
- Telling the Health & Safety Lead
- Using the red comments boxes situated throughout the hospice buildings (these comments can be made anonymously if preferred).
- Using the Shareyourideas@wirralhospice.org email
- Completing the bi- annual Employee Surveys

Staff and volunteers are also encouraged to **speak up** if they identify any issues, practices or behaviour that are having a negative impact on services or colleagues.

Using Speak Up Channels:

When speaking up: Explain your concerns as fully as you can, giving dates times and locations where possible, and details of others involved, it is also helpful to include any suggestions of how the situation may be improved or resolved.

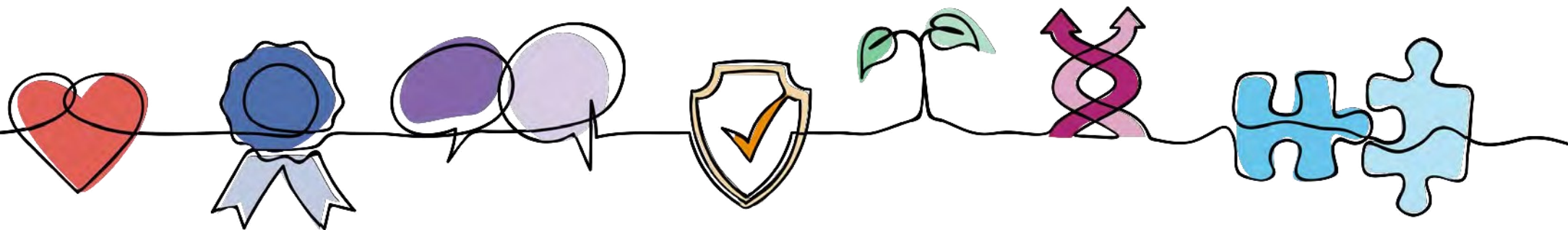
If the person you speak to at first does not appear to take any action, ask for feedback if you feel able or escalate your concerns by speaking out to a more senior manager, the FTSUG or the Speak Up Trustee.

Our Assurances to You:

- **Your Safety:** The Board of Trustees and Chief Executive are committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. Provided you are acting honestly, it does not matter if you are mistaken or if there is an innocent explanation for your concerns. We will not tolerate the harassment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully you into not raising any such concern. Any such behaviour is a breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action. If you feel you have been subject to repercussions either because you have raised a concern or because you are thought to have raised a concern, please contact the FTSU Guardian.
- **Confidentiality:** We hope you will feel comfortable raising your concern openly, but we also appreciate that you may want to raise it confidentially. This means that while you are willing for your identity to be known to the person you report your concern to, you do not want anyone else to know your identity. Therefore we will keep your identity confidential, if that is what you want, unless required to disclose it by law (for example, by the Police). You can choose to raise your concern anonymously without giving anyone your name, but that may make it more difficult for us to investigate thoroughly and give you feedback on the outcome.

Freedom to Speak Up policy for the NHS

Version 2, June 2022.



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Equality and Health Inequalities Statement

Promoting equality and addressing health inequalities are at the heart of NHS England's values. Throughout the development of the policies and processes cited in this document, we have:

- Given due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited under the Equality Act 2010) and those who do not share it; and
- Given regard to the need to reduce inequalities between patients in access to, and outcomes from healthcare services and to ensure services are provided in an integrated way where this might reduce health inequalities.

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 staff.

This policy is for all our staff and volunteers. 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. You could be an agency worker, bank worker, locum, volunteer or student. 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 staff and volunteers, and we want to hear all your concerns.**

We ask all our staff to complete the [online training](#) on speaking up. The online module on listening up is specifically for Line Managers to complete and the module on following up is for Senior Leaders to complete.

You can find out more about what Freedom to Speak Up (FTSU) is in these [videos](#)

This policy

All NHS organisations and others providing NHS healthcare services in primary and secondary care in England are required to adopt this national policy as a minimum standard to help normalise speaking up for the benefit of patients and workers. Its aim is to ensure all matters raised are captured and considered appropriately.

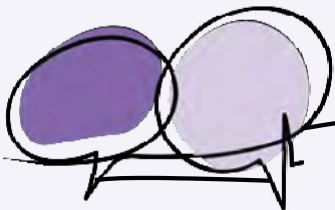


What can I speak up about?

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 processes (for example, HR or patient safety/quality). There are also a range of ways you can raise suggestions for improvement. That's fine. As an organisation, we will listen and work with you to identify the most appropriate way of responding to the issue you raise.



We want you to 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.

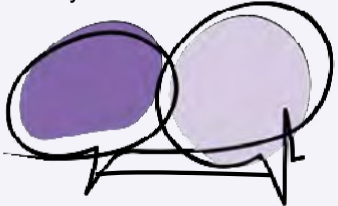
Who can speak up?

Anyone who works in NHS healthcare, including pharmacy, optometry and dentistry. This encompasses any healthcare professionals, non-clinical workers, receptionists, directors, managers, contractors, volunteers, students, trainees, junior doctors, locum, bank and agency workers, and former workers.

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, or Director with responsibility for the subject matter you are speaking up about.
- You can raise any concerns connected with patient safety to our Safeguarding Lead, Julian Hampton-Matthews julianhm@wirralhospice.org or Safeguarding Officer, Annemarie Robertswood annemarie@wirralhospice.org
- You can raise any concern related to Health & Safety issues with our Support Services Manager / Health & Safety Lead, Tom Collinson tomc@wirralhospice.org ext. 114
- Our Freedom to Speak Up Guardians Billy Howard ext. 134 and Phil McGraa ext. 108 FTSUG@wirralhospice.org can support you to speak up if you feel unable to do so by other routes. The FTSU 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.
- To our Workforce Team, please contact Jane Bohan, Director of Workforce janeb@wirralhospice.org ext. 102
- Our Senior Leaders responsible for Freedom to Speak Up are Teresa Nightingale teresan@wirralhospice.org ext. 131 or Jane Bohan janeb@wirralhospice.org ext. 102 provide senior support for our speaking-up guardians and are responsible for reviewing the effectiveness of our FTSU arrangements
- Our Trustee responsible for Freedom to Speak Up Lyn Meadows Speakup.trustee@wirralhospice.org who provides independent support for the FTSUG and a fresh pair of eyes to ensure that investigations are conducted with rigor; and can help escalate issues, where needed
- Via the Shareyourideas@wirralhospice.org email or the hospice's red comments boxes

Speaking up externally

If you do not want to speak up to someone within your organisation, you can speak up externally to:

- [Care Quality Commission](#) (CQC) for quality and safety concerns about the services it regulates – 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.

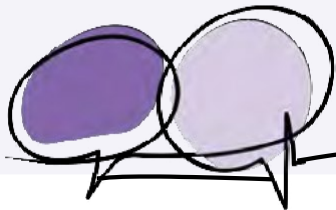
Please note that neither the Care Quality Commission nor NHS England can get involved in individual employment matters, such as a concern from an individual about feeling bullied.



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

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'.



How should I speak up?

You can speak up to any of the people or organisations listed above 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.

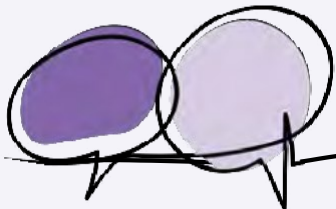
Advice and support

You can access a range of health and wellbeing services via:

- Care First – details can be found on the hospice's intranet / SharePoint [Care First Information](#)
- NHS England: [Support available for our NHS people.](#)
- 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.
- [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.



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. 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 B.

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's 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 your 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. If we decide to investigate, we will tell you how long we expect the investigation 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 (whilst 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

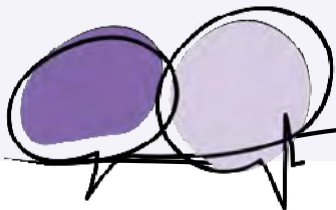
We want speaking up to improve the services we provide for patients and the environment our staff work in. Where it identifies improvements that can be made, we will ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Review

We will seek feedback from staff 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.

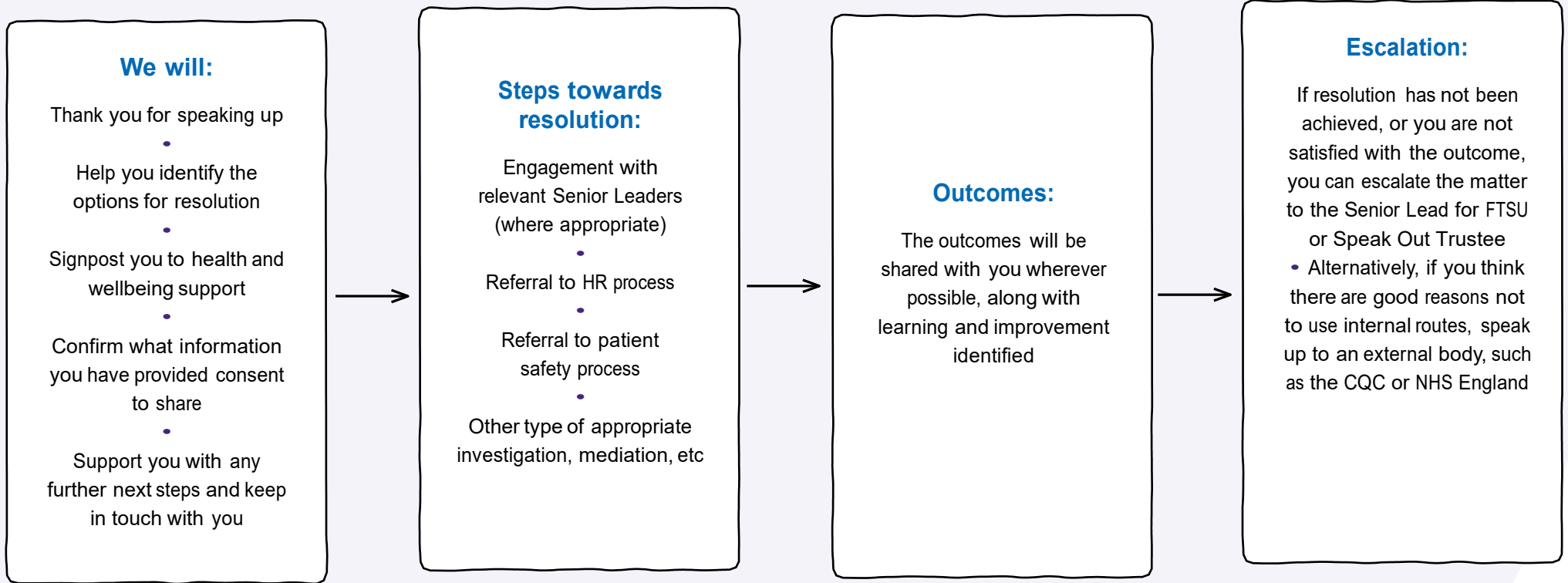
Senior leaders' oversight

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(s).



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 the [Protect](#) or a legal representative.



Training and Development:

The FTSU Guardians will run regular open session to update staff on the role of the FTSU Guardian and raise their profile, ensuring staff know how to contact them and are aware of all speaking out speaking up options.

Staff and volunteers will be made aware of the Speak Up culture and the FTSU Guardian role at induction.

The following Blue Stream Academy e-Learning modules support the culture of speaking up: -

- Being Open (Clinical)
- Bullying and Harassment (Organisational)
- Whistleblowing (Organisational)

There is mandatory training “Speak Up, Listen Up, Follow Up” for all staff to complete on speaking up designed by the National Guardians Office for Freedom to Speak up <https://nationalguardian.org.uk/speaking-up/training-for-workers/> which is divided into three modules: -

- **Speak Up:** Core training is for all workers including volunteers, students and those in training, regardless of their contract terms and covers what speaking up is and why it matters. It will help learners understand how to speak up and what to expect when they do.
- **Listen Up:** This training for all line and middle managers and is focussed more on listening up and the barriers that can get in the way of speaking up.
- **Follow Up:** This training is aimed at all senior leaders including executive board members to help them understand their role in setting the tone for a good speaking up culture and how speaking up can promote organisational learning and improvement.

This Freedom to Speak Up in Healthcare training is delivered on the e-Learning for Healthcare (e-LFH) website <https://portal.e-lfh.org.uk/>

The Learning & Development Team will make sure that all staff are be able to access the eLearning module relevant to their role.

Monitoring and Compliance:

This policy will be reviewed annually by the FTSU Guardian and the FTSU Senior Leader.

It will be re-ratified on a three yearly basis via the Workforce Governance Committees and the Board of Trustees. Amendments will be made within 3 months of any changes to legislation, standards, best practice or other key changes.

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Definitions:

- **Speaking Out:** Making suggestions that you feel will improve aspects of working for WHSJ or receiving or accessing the services or support we provide.
- **Speaking Up:** Raising any concern that you feel negatively impact on working for WHSJ or receiving or accessing the services or support we provide.

- - -

References:

- Freedom to Speak Up Report, Sir Robert Francis QC (February 2015)
https://ehospice.com/uk_posts/freedom-to-speak-up-in-hospices-values-in-action/
- Freedom to Speak Up: A guide for leaders in the NHS and organisations delivering NHS services [B1245 ii NHS-FTSU-Guide-eBook.pdf \(nationalguardian.org.uk\)](#)

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Appendices:

- **Appendix 1:** Speaking Up, Speaking Out: Red Comments Box Process
- **Appendix 2:** Speaking Up, Speaking Out: Share Your Ideas Email Process
- **Appendix 3:** Speaking Up, Speaking Out: Raising Concerns at Work Form
- **Appendix 4:** Speaking Up, Speaking Out: Raising Concerns at Work Monitoring Form
- **Appendix 5:** Speaking Up, Speaking Out: Concerns Raised Directly with Managers or Service Leads
- **Appendix 6:** Speaking Up, Speaking Out:

Equality Impact Assessment Tool

Form 1

Please refer to Wirral Hospice St John's Equality Policy.

Does the procedural document affect one group less or more favourably than another on the basis of	Yes No N/A	If yes, in what way?	Action required
<ul style="list-style-type: none"> • Gender (Consider any barriers relating to male, female, transgender or transsexual people) e.g. same sex accommodation, gender specific job roles, leave entitlement, privacy of personal data 	No		
<ul style="list-style-type: none"> • Race & Ethnic origin & Culture (Consider any barriers impacting on ethnic groups) e.g. language barriers, dietary requirements, uniform requirements, requirement to have fixed abode and bank account 	No		
<ul style="list-style-type: none"> • Religion or belief (Consider any barriers affecting people of different religions, belief, or no belief) e.g. specific holiday periods, clothing 	No		
<ul style="list-style-type: none"> • Pregnancy & Maternity (Consider any impact upon working arrangements, part time or flexible working) 	No		
<ul style="list-style-type: none"> • Sexual orientation (Consider any barriers affecting heterosexual, lesbian, gay or bisexual people) e.g. HR policy 	No		
<ul style="list-style-type: none"> • Carers (Consider any impact on part time working, shift patterns and general caring responsibilities) 	No		
<ul style="list-style-type: none"> • Disability (Consider any impact on attitudinal, physical and social barriers) e.g. accessibility. 	No		
<ul style="list-style-type: none"> • Age (Consider any barriers across age ranges. This includes safeguarding consent, care of the elderly and child welfare).e.g. easy read, hearing loops, IT or telecommunications accessibility 	No		
Is there evidence that some groups are affected differently?	No		
If you have identified potential discrimination, are any exceptions valid, legal and or justifiable?	N/A		
Is the impact of the procedural document / guidance likely to be negative?	No		
If so can the impact be avoided?	N/A		
What alternatives are there to achieving the procedural document guidance without impact?	N/A		
Can we reduce the impact by taking different action?	N/A		

Action Plan to manage action impact

Form 2

If you have identified a potential discriminatory impact, please refer it to the Governance Lead / Workforce Lead together with suggestions and actions required to avoid and reduce the impact.

Description of Impact which may have discriminatory effect	Management plan to minimise Form 1 - Equality and Diversity Impact assessment	Managed by	Review date