

Document level: Select  
Code: HR3.8  
Issue number: 8

## Raising and Escalating Concerns at Work Policy

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Authors details	Freedom to Speak Up Guardians & Head of Human Resources

Type of document	Policy
Target audience	All CWP staff
Document purpose	To provide guidance on how employees may raise and escalate concerns including outside of usual line management systems

Approving meeting	People and Organisational Development Sub Committee	Date 1-Oct-18
Implementation date	October 2016 followed by an annual compliance review	

CWP documents to be read in conjunction with	
<a href="#">HR3.4</a>	Grievance policy and procedure
<a href="#">HR3.7</a>	Dignity at work policy and procedure
<a href="#">CP10</a>	Safeguarding adults policy
<a href="#">CP40</a>	Safeguarding children policy
<a href="#">GR1</a>	Incident reporting and management policy

Document change history	
What is different?	Policy refreshed in accordance with National Guardian Office (NGO) policy review framework. Policy replaces Issue Number 8.
Appendices / electronic forms	Quick Reference Flow Chart updatedQuality Charter for Freedom To Speak Up added
What is the impact of change?	Aligns Trust policy to National Guardian Office guidance

Training requirements	Select - Training requirements for this policy are in accordance with the CWP Training Needs Analysis (TNA) with Education CWP.
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Document consultation	
Clinical Services	FTSU Ambassadors and Associate Guardians.
Corporate services	People and Workforce and ED&I Lead.
External agencies	None.

Financial resource implications	None
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External references	
1. Sir Robert Francis QC (2015) Freedom to Speak Up: an independent report into creating an open and honest reporting culture in the NHS.	
2. National Guardian Freedom to Speak Up Policy review framework (2021)	

Equality Impact Assessment (EIA) - Initial assessment	Yes/No	Comments
Does this document affect one group less or more favourably than another on the basis of:		

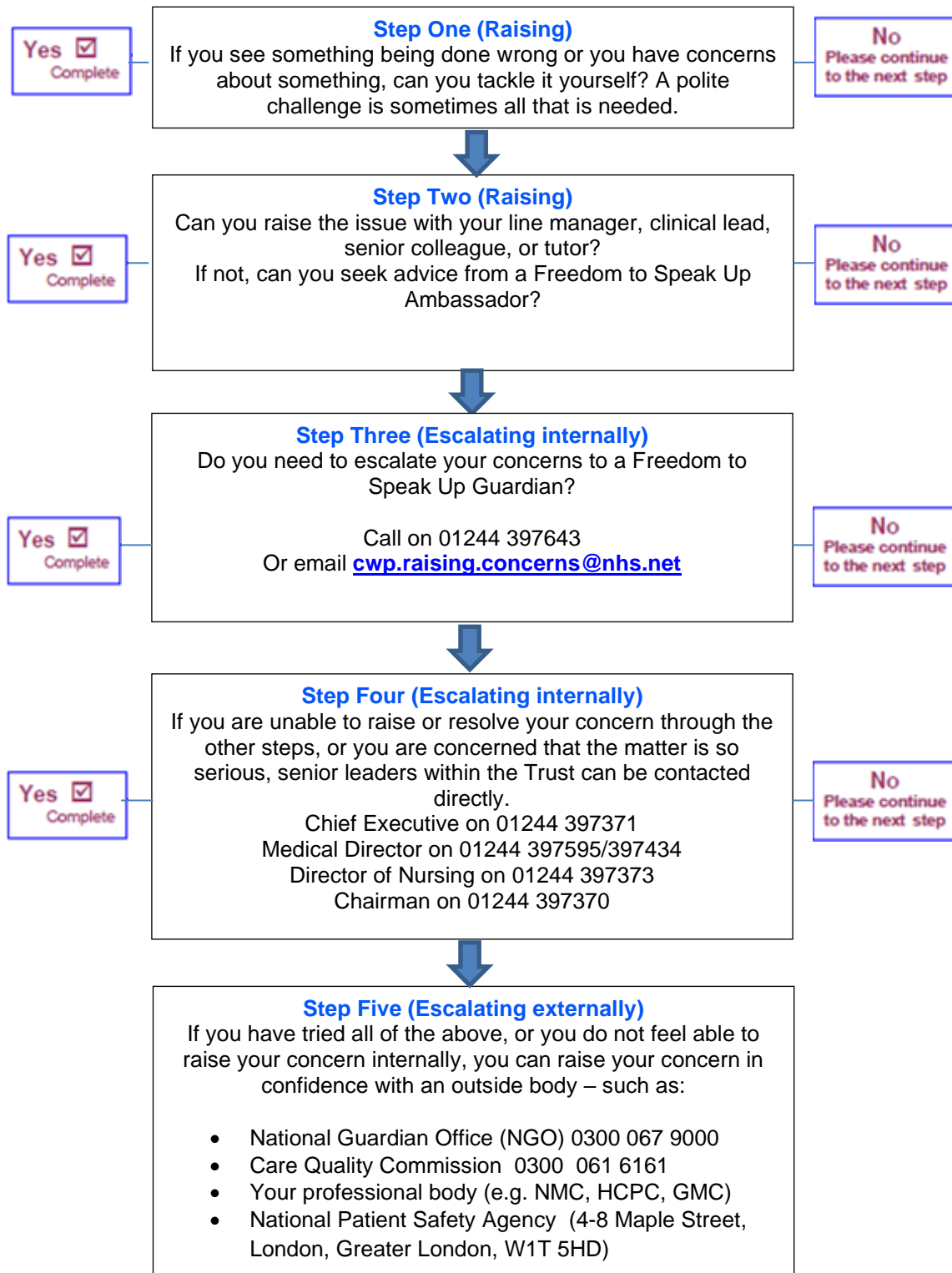
Equality Impact Assessment (EIA) - Initial assessment	Yes/No	Comments
- Race	No	
- Ethnic origins (including gypsies and travellers)	No	
- Nationality	No	
- Gender	No	
- Culture	No	
- Religion or belief	No	
- Sexual orientation including lesbian, gay and bisexual people	No	
- Gender Reassignment	No	
- Pregnancy / Maternity	No	
- Marriage / Civil Partnership	No	
- Age	No	
- Disability - learning disabilities, physical disability, sensory impairment and mental health problems	No	
Is there any evidence that some groups are affected differently?	No	
If you have identified potential discrimination, are there any exceptions valid, legal and/or justifiable? Select		
Is the impact of the document likely to be negative?	No	
- If so can the impact be avoided?	Select	
- What alternatives are there to achieving the document without the impact?	Select	
- Can we reduce the impact by taking different action?	Select	
Where an adverse or negative impact on equality group(s) has been identified during the initial screening process a full EIA assessment should be conducted.		
If you have identified a potential discriminatory impact of this procedural document, please refer it to the human resource department together with any suggestions as to the action required to avoid / reduce this impact. For advice in respect of answering the above questions, please contact the human resource department.		
Was a full impact assessment required?	No	
What is the level of impact?	Low	

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## Quick reference flowchart - Raising and escalating concerns at CWP

### I need to raise a concern, what do I do?



At any stage, or if you are unsure about raising a concern, your union or Protect will be able to discuss the options with you. You can contact them on 020 3117 2520 ([www.protect-advice.org.uk](http://www.protect-advice.org.uk)).

Students can also speak to their university tutor or mentor.

## **1.0 Introduction**

All of us at one time or another may have concerns about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it's about a possible danger, professional misconduct or financial malpractice that might affect the people we support, their families or colleagues, or Cheshire and Wirral Partnership NHS Foundation Trust (the Trust) itself, it can be difficult to know what to do. We encourage all of our colleagues to speak up about any concerns they have at the earliest opportunity so that we can address errors or failings and harness every opportunity to make improvements that enable us to turn 'good' into 'great'.

This policy is an integral part of the Trust's commitment to the values of the 6Cs and to the overarching principles of our person centred framework which states that; 'We will have the courage to speak up and voice our views. We will always try to improve things to make a lasting difference'. This policy supports and enables staff to do this.

## **2.0 Speak Up, We Will Listen**

Senior leaders are committed to running the organisation in the best way possible and to do so we need your help. We have this policy to enable you to speak up in the knowledge that it is safe and acceptable to do so. Rather than wait for proof, it is important to raise the matter when it is still a concern, so that the Trust can address the matter at an early stage for the benefit of the people we support and our staff.

Do the right thing and have the courage to speak up when you have concerns. You may be worried about raising an issue and may think it best to keep it to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, to managers or to the Trust. You may have said something but found that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next. It is vitally important that you speak up to improve patient and staff safety and experience.

### **2.1 Who can raise concerns?**

All workers are able to speak up and raise concerns. This includes staff who are permanently employed, full time, part time, or temporary or bank, students, self employed, employed through an agency, a volunteer, or former Trust employees.

### **2.2 Feel safe to raise your concern**

You will be treated with compassion and respect. The board, senior leaders and staff side organisations are committed to this policy.

If you raise a concern under this policy, you will not be at risk of losing your job or suffering any detriment (such as a reprisal or victimisation) nor will we tolerate any attempt to bully you into not raising any such concern. Any such behavior is a breach of our Trust values and will not be tolerated. Appropriate action will be taken in response to any such behaviour.

### **2.3 Your Confidentiality**

With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, we will respect your decision and will not to disclose your identity without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential to an investigation. In such cases, we will discuss with you whether and how the matter can best proceed.

If you want to raise concerns but do not wish to disclose your identity at all you can raise your concerns anonymously. If you do not tell us who you are it will be much more difficult for us to look into the matter but we will still respond to your concerns based on the information that is provided. We will not be able to provide you with additional support or give you feedback.

The Trust recognises how difficult it might be for you to raise a concern about something you have seen or heard and will seek to ensure that individuals are offered appropriate support throughout the procedure. The Trust will agree with you what form this support will take.

## **2.4 What Concerns can I raise?**

Speak up where the care people receive is not right. If something is troubling you which you think we should know about or look into, please use this procedure. You can raise a concern about risk, malpractice or wrongdoing you think is harming the service we deliver. Just a few examples of this might include, but are by no means restricted to:

- unsafe patient care
- unsafe working conditions including unsafe working environments
- inadequate induction or training for staff
- lack of, or poor, response to an incident that impacts on patient safety
- a bullying culture
- any action that may be considered a potential criminal act

If you wish to make a complaint about your own employment or how you have been treated, please use the [grievance policy and procedure](#) or [dignity at work](#) which can be found on the intranet [HR policies page](#) or via your manager or Human Resources Department.

Suspicious of fraud can be reported to our local counter-fraud team. Alternatively, you may wish to consider reporting matters of suspected fraud by way of the NHS Confidential Fraud Hotline on 0800 028 4060. The web link for the NHS Confidential Fraud Service is [www.nhsbsa.nhs.uk/CounterFraud.aspx](http://www.nhsbsa.nhs.uk/CounterFraud.aspx).

## **3.0 Freedom to Speak Up Process**

Dependent upon the concern you have and your individual circumstances it may be appropriate to raise the concern with your line manager or a senior person within the team or service, alternatively you may wish to raise the concern independently with a Freedom to Speak Up (FTSU) Ambassador or Guardian. Refer to [flowchart](#).

You do not have to have firm evidence before raising a concern. We ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

### **3.1 How should I raise my concern?**

You can raise your concerns in person, by phone or in writing (including email).

### **3.2 What will we do?**

We will treat you with respect at all times and will thank you for raising your concerns. When a concern has been raised with a FTSU Ambassador, the Ambassador will discuss the matter with you and provide advice and signposting. FTSU Ambassadors will not undertake any case management but will be able to support escalations to the freedom to speak up guardian as required.

When a concern has been escalated to the Freedom to Speak Up Guardian or senior leaders you will receive an acknowledgement within two working days. The central record will be retained detailing the date the concern was received, whether you have requested confidentiality, a summary of the concerns, the outcomes you are wishing to see, dates when we have given you updates or feedback and the learning that has resulted from the concern being raised.

If you ask, we will write to you summarising your concern and setting out how we propose to handle it. If we have misunderstood the concern or there is any information missing you will be able to inform us of such.

Once you have told us of your concern we will assess it and carry out a proportionate response. We will reach a conclusion within a reasonable timescale (which we will notify you of). We will tell you who will be handling the matter, how you can contact them and what further assistance we may need from you. Any review or investigation will be objective and evidence-based, and will produce a response that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring.

Whenever possible, we will give you feedback on the outcome of any review or investigation. It may not be possible to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person. While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly.

We may decide that your concern would be better looked at under another process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you.

Any employment issues that affect only you and not others identified during the investigation will be considered separately.

### **3.3 How will we support you when you raise a concern?**

When you raise the concern it will be helpful to know how you think the matter might be best resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset.

### **3.4 How will we learn from your concern?**

The focus of the investigation will be on improving the service we provide for patients. Where it identifies improvements that can be made, we will track them to ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

### **3.5 Board oversight**

The board will be given high level information about all concerns raised by our staff through this policy and what we are doing to address any problems. We will include similar high level information in our bi-annual report. The board supports staff raising concerns and wants you to feel free to speak up.

## **4. Duties and responsibilities**

### **4.1 Chief Executive**

The Chief Executive is responsible for ensuring that the FTSU arrangements meet the needs of the workers in the Trust. The Chief Executive must ensure that the annual report contains information about FTSU and the board members receive information about concerns raised.

### **4.2 Director of Nursing, Therapies and Patient Partnership**

As the nominated executive lead for FTSU, the Director of Nursing, Therapies and Patient Partnership must ensure that robust and effective systems, policies, procedures and monitoring arrangements are in place to enable employees to raise and escalate any concerns. The Director of Nursing, Therapies and Patient Partnership must ensure that lessons learned are integrated into continuing trust practices.

### **4.3 Non Executive Lead for Freedom To Speak Up**

Non Executive Lead for FTSU is responsible for:

- Holding the chief executive, executive FTSU lead and the board to account for implementing the speaking up strategy. Where necessary, they should robustly challenge the board to reflect on whether it could do more to create a culture responsive to feedback and focused on learning and continual improvement.



- Role-modelling high standards of conduct around FTSU.
- Acting as an alternative source of advice and support for the FTSU Guardian.
- Overseeing speaking up concerns regarding board members.

#### **4.4 Freedom to Speak Up Guardian**

Freedom to Speak Up Guardian is responsible for:

- Ensuring that the matter is progressed within agreed timescales.
- Ensuring that the individual who reported the concern is kept up dated on progress and outcomes as appropriate, in relation to any investigation/review.
- Ensuring that (where appropriate) the relevant executive director is informed of the concern raised and has agreed what action should be taken.
- Ensuring that Freedom to Speak Up process operates independently, impartially and objectively, whilst working in partnership with individuals and groups throughout the organisation, including their senior leadership team.
- Seek guidance and support from, and where appropriate, escalate matters to bodies outside the organisation.
- Support and contribute to the national Freedom to Speak Up Guardian network, comply with National Guardian Office guidance and support each other by providing peer-to-peer support and share learning.
- Identify themes and trends to ensure that any barriers to speaking up are identified and tackled.
- Tracking progress of any management action and where there are any concerns about the progress of any investigation/action raise with the chief executive.
- Monitoring compliance with the processes outlined within this document.

#### **4.5 Freedom to Speak Up Ambassadors**

Freedom to Speak Up Ambassadors are responsible for:

- Supporting the Freedom to Speak Up Guardian to promote the speak up agenda across the Trust and positively impact upon the speak up culture.
- Being available to staff to discuss their concerns helping staff to assess whether or not the concern requires escalation or local support to resolve the matter.
- Seeking guidance and support from, and where appropriate, escalate matters to the Freedom to Speak Up Guardian as appropriate and action in accordance with Trust Policy.

#### **4.6 Managers and Senior Leaders**

Managers and senior leaders are responsible for:

- Promoting a Freedom to Speak Up Culture and to act as a role model.
- Seeking guidance and support from, and where appropriate, escalate matters to the Freedom to Speak Up Guardian as appropriate and action in accordance with Trust Policy.
- Ensuring that individuals are aware of the policy and have access to it.
- Responding quickly to concerns and to take all concerns seriously with an appropriate response.
- Ensuring that individuals are adequately supported following the raising of a concern.
- Ensuring that individuals receive appropriate feedback.
- Responding to the requests to address the lessons learned.

#### **4.7 All Staff**

Staff are responsible for;

- Raising concerns promptly via lines of management or by the routes outlined in this policy.
- Familiarising themselves with the provisions of this policy.
- Taking responsibility for ensuring that they communicate their personal support needs related to raising the concern.



#### **4.8 Trade Union Representatives**

Are responsible for:

- Ensuring staff are provided with appropriate advice and support in relation to following this policy.
- In consultation with management review the policy and support the aims set out within it.

## Appendix 1 - A vision for raising concerns in the NHS



Source: Sir Robert Francis QC (2015) *Freedom to Speak Up: an independent report into creating an open and honest reporting culture in the NHS*.

## Appendix 2 - Quality Improvement Charter Freedom to Speak Up Guardians

This charter describes the Freedom to Speak Up Guardian's contributions to enabling CWP to deliver and implement CWP's Quality Improvement Strategy. This includes the support that will be offered to clinical teams and to other clinical support teams to ensure that the whole organisation's operating principle is Quality Improvement. This charter will be updated annually.

<p style="text-align: center;"><b>Our Offer</b></p> <p>We will continuously promote and challenge senior leaders to take a proactive approach towards the Trust's culture of listening and learning, which incorporates speaking up.</p> <p>We will ensure that the Freedom to Speak Up work programme inextricably links to the patient safety, staff experience and continuous improvement agenda.</p>	<p style="text-align: center;"><b>Our Plans</b></p> <p>We will enhance the Freedom to Speak Up culture throughout the Trust by identifying areas for improvement.</p> <p>We will continue to evaluate the analysis of trends, themes of issues being raised, and characteristics of people speaking up to inform the Trust's quality improvement agenda.</p> <p>We will evaluate the effectiveness and accessibility of the Freedom to Speak Up Process.</p>
<p style="text-align: center;"><b>Our Delivery</b></p> <p>We will review the Freedom to Speak Up leadership and governance arrangements in line with National Guardian Office standards and expectations.</p> <p>We will hold regular Freedom to Speak Up summits with a focus on shared learning and networking across key areas such as Organisational Development, Patient Advisory Liaison Service and Safe Service.</p> <p>We will review the feedback process for people raising concerns to ensure the opportunity for learning and development is maximised.</p>	<p style="text-align: center;"><b>Our Commitment</b></p> <p>We will raise awareness across the organisation of the importance of speaking up.</p> <p>We will work with colleagues across the organisation to ensure learning derived from speaking up issues is acted upon.</p>