



Freedom to speak up: Speak up Policy

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1 Introduction

- 1.1. 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 workers, students, and volunteers. This group will be defined as 'our people' in this policy.
- 1.2. This policy is for all our all our people. 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".
- 1.3. 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, 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.
- 1.4. **This policy is for all our people, and we want to hear all concerns.**
- 1.5. South East Coast Ambulance Service NHS Foundation Trust (the Trust) is committed to maintaining the highest standards of worker and patient care, to honesty and integrity in its management systems and processes, and to acting as a responsible employer within the communities that it serves.
- 1.6. We ask all our people, to complete the online training on speaking up. The online module on listening up is specifically for 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](#).
- 1.7. New systems have been developed to enable our people, who wish to raise a concern to do so within a clear framework. This is attached at Appendix 1.

2 Why is speaking up important?

- 2.1. We welcome speaking up and we will listen. Speaking up about any concern you have at work is really important. In fact, it's vital because it will help us to keep improving our services for all patients and the working environment for our people.
- 2.2. You may feel worried about raising a concern, and we understand this, it can be difficult to know what to do, especially where a concern may only be a suspicion, there is loyalty to a colleague, or a member of your leadership team are thought to be involved. But please don't be put off. In accordance with our duty of candour, our senior leaders and entire board are committed to an open and honest culture. We will look into what you say, and you will always have access to the support you need.

3 Who can Speak Up?

- 3.1 Anyone who works (or has worked) for South East Coast Ambulance Service (SECamb), or for an independent organisation that provides SECamb services can raise concerns. This includes agency workers, temporary workers, students, volunteers and Governors.

4 What can I speak up about?

- 4.1. You can speak up about anything that gets in the way of patient care, or that affects your working life.
- 4.2. That could be something which doesn't feel right, for example a way of working or a process which isn't being followed, or behaviours of others which you feel is having an impact on the well-being of you, the people you work with, or patients. Just a few examples of this may include (but are by no means restricted to):
 - unsafe patient care
 - unsafe working conditions
 - inadequate induction or training for workers, students, or volunteers.
 - lack of, or poor, response to a reported patient safety incident
 - suspicions of fraud, which can also be reported to our local counter-fraud team LCFS (contact details found in 6.5 raising concerns externally)
 - Bullying or harassment
- 4.3. Remember that if you are a healthcare professional you may have a professional duty to report a concern. If in doubt, please Speak up.

- 4.4. Don't wait for proof. We would like you to Speak up while it is still a concern. It doesn't matter if you turn out to be mistaken as long as you are genuinely troubled.

5 We want you to feel safe to speak up.

- 5.1. You speaking up to us is a gift because it helps us identify opportunities for improvement that we might not otherwise know about.
- 5.2. We will not tolerate anyone being prevented or deterred from speaking up or being mistreated because they have spoken up.
- 5.3. 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. 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, will be investigated independently.
- 5.4. Provided you are acting honestly; it does not matter if you are mistaken or if there is an innocent explanation for your concerns.

6 Who can I speak up to?

6.1. Speaking up Internally

- 6.2. Most speaking up happens through conversations with 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.

- 6.3. 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.
- The patient safety team or clinical governance team.
- Our HR team.
- Professional Standards team.
- Your trade union representative/recognised unions of the Trust.
- Our Freedom to Speak Up team who can support you to speak up if you feel unable to do so by other routes.

The team can be contacted on ftsug@secamb.nhs.uk.

The FTSU team 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. You can find out more about the guardian role on [The Zone Raising a concern](#)

- Our Executive Director or Quality & Nursing responsible for Freedom to Speak Up, they provide senior support for our speaking-up guardian and are responsible for reviewing the effectiveness of our FTSU arrangements.
- Our non-executive director responsible for Freedom to Speak Up, this role is specific to organisations with boards and provides more independent support for the guardian; they also provide a fresh pair of eyes to ensure that investigations are conducted with rigor; and help escalate issues, where needed.

6.4. **Speaking up externally**

6.5. 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.
- NHS England for concerns about:
 - How NHS trusts and foundation trusts are being run (this includes ambulance trusts and community and mental health trusts)
 - NHS procurement and patient choice

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.
- Local counter fraud team (where concerns relate to fraud): Tina Jones, tina.jones@rsmuk.com, or Matt Wilson, matt.wilson@rsmuk.com - Telephone 01293 591754 or by post at: Portland, 25 High Street, Crawley, West Sussex, RH10 1BG25 or the confidential NHS Fraud and Corruption Reporting line on: 0800 028 4060

- 6.6. 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.

7 How should I speak up?

- 7.1. You can speak up to any of the people or organisations listed above in person, by phone or in writing. There is also a form which can be used to raise concerns on The Zone (office.com) This option will offer you an anonymous route if you do not wish to share your details.
- 7.2. The most important aspect of your speaking up is the information you can provide, not your identity.
- 7.3. 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.
- 7.4. In all circumstances, please be ready to explain as fully as you can the information and circumstances that prompted you to speak up.
- 7.5. Appendix 2 contains information about making a 'protected disclosure'.

8 What happens when I speak up?

- 8.1. 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.
- 8.2. If you chose to speak up through the FTSU team, in the first instance we will thank you speaking up, help you identify the options for resolution, signpost you to health and wellbeing support if needed, confirm what

information you have provided consent to share and support you with any further next steps and keep in touch with you throughout the process.

8.3. What you can expect to happen after speaking up to FTSU is shown in Appendix 1

8.4. **Resolution and Investigation through FTSU**

8.5. 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.

8.6. 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 (see appendix 1), and a response will be produced that identifies any learning opportunities or issues.

8.7. **Communication through FTSU**

8.8. We will always treat you with respect 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 a decision is made to pass on for investigation, 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.

8.9. Wherever possible, we will share the full investigation report with you (while 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).

8.10. **How we learn from you speaking up?**

8.11. We want speaking up to improve the services we provide for patients and the environment our workers, students and volunteers to work in.

8.12. Where an investigation identifies improvements that can be made, we will ensure necessary changes are made, and are working effectively.

8.13. Lessons from concerns raised will be shared with teams across the organisation, or more widely, as appropriate.

9 Senior leader oversight

9.1. Our most senior leaders will receive a report biannually that goes to EMB and the Board, providing a thematic overview of speaking up by our workers, students, and volunteers to our FTSU guardian(s).

10 Advice and support

10.1. You can find out about the local support available to you on the wellbeing [section of The Zone](#).

10.2. Your local staff networks can also be a valuable source of support.

10.3. You can access a range of health and wellbeing support via NHS England:

Support available for our NHS people.

- [Looking after you](#): confidential coaching and support for the primary care workforce.
- 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.

11 Review

11.1. We will seek feedback from workers about their experience of speaking up.

11.2. We will review the effectiveness of this policy and local process at least annually, with the outcome published and changes made as appropriate.

11.3. This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from employees indicates that the policy is not working effectively.

11.4. All changes made to this procedure will go through the governance route for development and approval as set out in the Policy on Policies.

12 Financial Checkpoint

12.1 This document has been confirmed by Finance to have no unbudgeted Financial implications.

Appendix 1

	93-day Overview			
Days/ratings	0 to 31 days	32-75 days	76 to 93 days	Over 93 days
Escalations	Concern Open Pass to first appropriate manager	Escalation to next level manager	Escalation to senior manager level (AD/DD)	Escalation to Exec
FTSU lead	Deputy FTSUG	Deputy FTSUG & FTSUG	FTSUG	FTSU Executive
Reporting	Managed through monthly reporting to teams		Escalation to safeguarding sub-group	QGG

1	Concern raised to Deputy FTSUG. Details of the concern are captured in a case record, immediate triage completed, and level established. High level data uploaded to a spreadsheet. Where appropriate wellbeing referrals are made, and immediate support put in place where necessary.
2	Letter sent to manager with link to toolkit. In most case we would hope that the concern is managed in this stage and skips to stage 6.
3	Where the concern hasn't been resolved in stage 2 it is escalated to the next appropriate manager and the FTSUG is informed.
4	This is the final stage for managers to resolve the concern before it is passed to Exec level. This stage is now managed by the FTSUG.
5	All cases that breach the recommended 93-day timescale are passed to Exec level and escalated through safeguarding subgroup and quality governance group.
6	At this stage where appropriate, learning is identified and passed to the relevant area. The learning identified will be embedded using the same processes adopted from SIs, complaints, Safeguarding concerns and ER cases.
7	Feedback surveys are sent to users of the FTSU service. All feedback is anonymous and captures important demographic details.

Appendix 2

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 Protect or a legal representative.