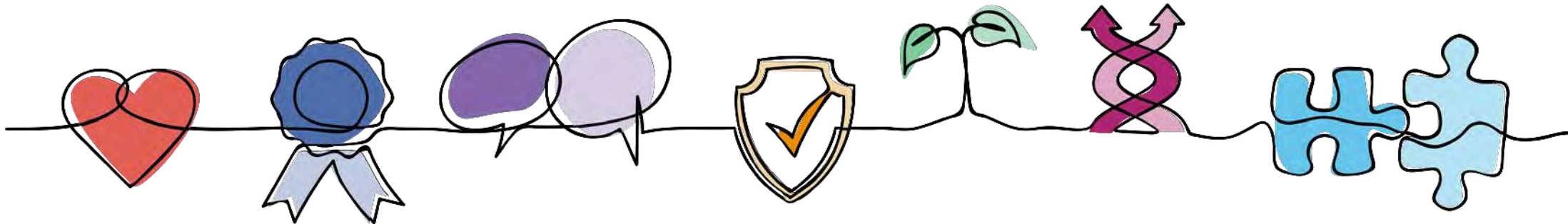




Freedom to Speak Up policy

Version 1, May 2023



Written Controls Tracking form
(Please incorporate this form as the second page of your policy/procedure and ensure that the correct title, issue number and date appears on the title page)

Before writing/updating policies please review whether or not you actually need this document. Consider including this as part of your Standard Operating Procedure

Document Title:	Freedom to Speak Up Policy
Responsible Director	Jacqui Scott
Authors Name:	Sharon Cranfield, Patient Experience Lead
Document Ref and Issue Number:	POL CP4227
Delete as required	Reviewed New
Brief summary of document	The purpose of this policy is to specify how individuals can speak up about anything that gets in the way of patient care or their working life and sets out how the organisation will deal with those issues.
Equality Impact Assessment [EIA]/ Privacy Impact Assessment [PIA] Does your initial equality/Privacy impact assessment indicate an equality impact is likely? If yes please complete full Equality/Privacy Impact Assessment. No	

Consultation

Please provide details of all staff that were consulted in the preparation of this document.	
Individual Name or Meeting Name	Designation
IGSG	
Charles Beardsley	Director of Workforce and Estates
Jacqueline Hersey	
Executive Team	
Relevant Committee	Date: N/A
Exec approval	Date: 17.05.23
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Financial and or resource implications

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Equality and Health Inequalities Statement

Promoting belonging is at the heart of Bromley Healthcare's values. We are building a community where inclusivity and diversity is celebrated, colleagues feel psychologically safe to bring their authentic self to work and everyone will be listened to and have equal opportunity to flourish. 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.

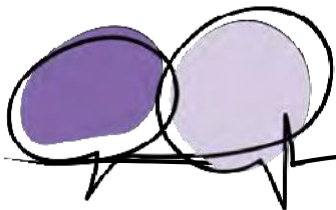
Speak up – we will listen

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 service users and the working environment for our people.

This policy is for all our people. The [Bromley Healthcare 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.” This is also in line with our strategy ‘Community First’ which focuses on building a culture for growth and opportunities.

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 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 our people and we want to hear all our peoples’ concerns.**

We ask all our leaders to complete the online module on ‘listening up’ (managers) and the module on ‘following up’ is for our senior leaders.



This policy

As a provider of NHS healthcare services we have adopted this 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). 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?

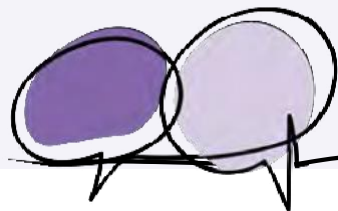
Anyone who works for Bromley Healthcare. This encompasses any healthcare professionals, non-clinical workers, receptionists, directors, managers, contractors, volunteers, students, trainees, junior doctors, locum, bank and agency workers.

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 – detailed below are other options:



- Senior manager or director with responsibility for the subject matter you are speaking up about, or one of our Freedom to Speak Up Ambassadors.
- Our Freedom to Speak Up Guardians - Sharon Cranfield, tel: 0208 315 8791, mobile: 07538 794756, and email: s.cranfield1@nhs.net or Jacqueline Hersey, mobile: 07432 724821, and email: jacqueline.hersey@nhs.net who can support you to speak up if you feel unable to do so by other routes. The 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. You can find out more about the guardian role [here](#).
- The Safer Care team (where concerns relate to patient safety or wider quality). Safer Care Team, Central Court, tel: 0208 315 8901, email: bromh.safercare@nhs.net.
- Local Counter Fraud team (where concerns relate to fraud) contact Bromley Healthcare's Fraud Champion Johanna Snowdon, mob: 07874 891866 email: jsnowdon1@nhs.net, and Andrew Ede, Anti-crime Specialist, TIAA Limited, mob: 07814 258177, and email: Andrew.ede1@nhs.net
- Our Human Resource team are Charlie Beardsley, Director of Workforce & Estates, email: c.beardsley@nhs.net, and Sarah Patmore, Head of HR Business Partnering, email: sarah.patmore@nhs.net.
- Our Senior Lead responsible for Freedom to Speak Up is Jacqui Scott, Chief Executive, email: jacqui.scott@nhs.net mobile: 07777 648649 - she provides senior support for our speaking-up guardians and are responsible for reviewing the effectiveness of our Freedom to Speak Up arrangements.
- Our Non-Executive Director responsible for Freedom to Speak Up is Angela Dawe.

Speaking up externally

If you do not want to speak up to someone within Bromley Healthcare, you can speak up externally to:

- [Care Quality Commission \(CQC\)](#) or [Ofsted](#) for quality and/or safety concerns regarding the services that they regulate.
- [NHS England](#)
- [NHS procurement and patient choice](#)
- [The local police service](#)
- [The National Guardian's Office - Freedom to Speak Up](#)

NHS England may decide to investigate your concern themselves, ask Bromley Healthcare 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.

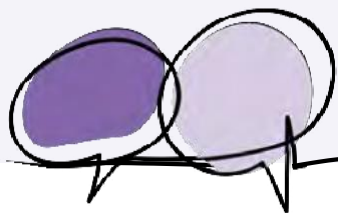
Please note that neither the Care Quality Commission nor NHS England can get involved in individual employment matters, such as a concern from an individual about feeling bullied.

- [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, where possible - this should be raised internally in the first instance, you can do this by contacting the relevant professional body such as the General Medical Council, Nursing and Midwifery Council, Health & Care Professions Council, or General Dental 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 find out about the local support available to you on our intranet. Our local staff networks [email details below] are also a valuable source of support.

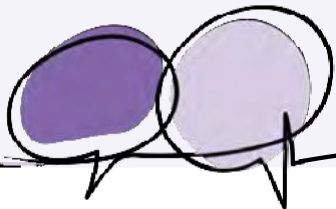
- Westmeria Counselling Service, tel: 0208 467 9693, and email: enquiries@westmeriacounselling.co.uk
- LGBTQ+ email: bromh.lgbtqpluscollective@nhs.net
- REACH, email: bromh.equalityandinclusion@nhs.net

You can access a range of health and wellbeing support via 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. An appointed senior manager will investigate the concerns raised and not the Guardians.

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 (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).

How we learn from your speaking up

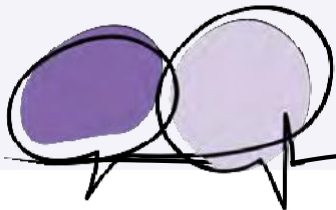
We want speaking up to improve the services we provide for patients and the environment our staff work in. Where it identifies improvements that can be made, we will ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely,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

Review

We will seek feedback from workers 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.

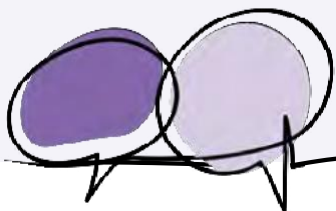
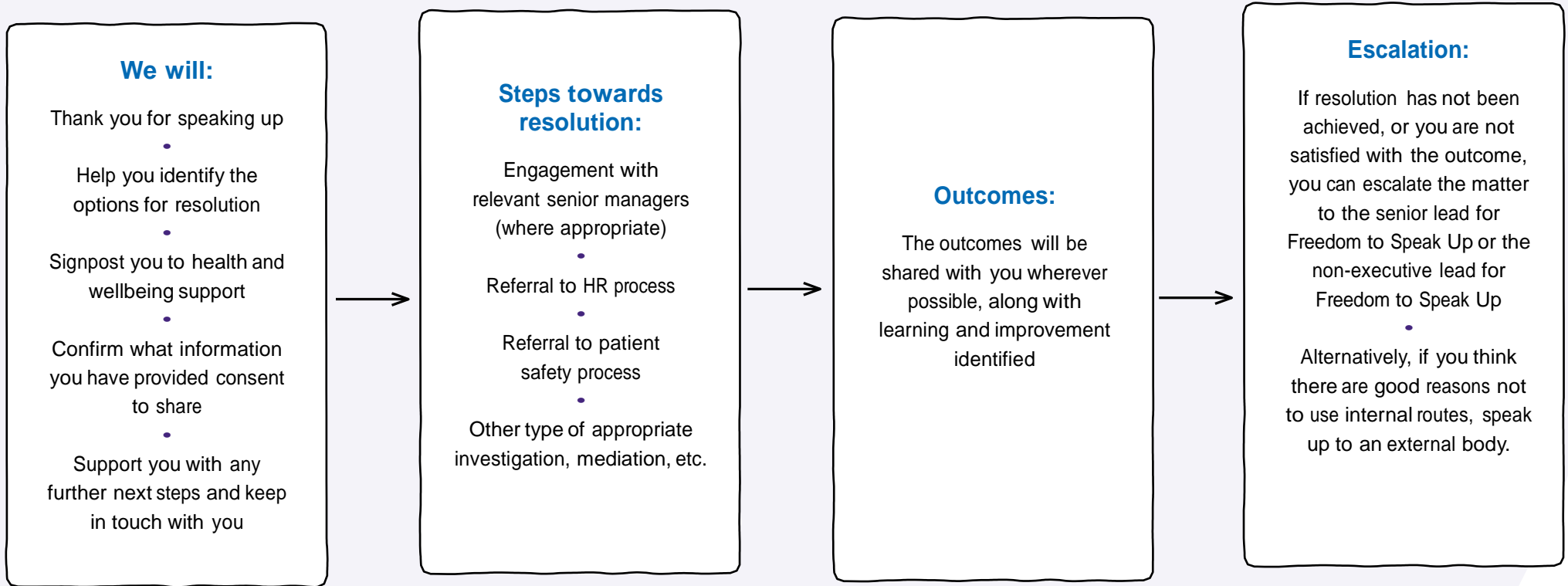
Senior leaders' oversight

Our most senior leaders (People and Culture Committee) will receive a report at least annually providing a thematic overview of speaking up by our staff to our Freedom to Speak Up 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.

