

## Main Board

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| <b>Date of meeting:</b> June 2026                                                                                                                                                           |                                                                                                                                            |
| <b>Title of Document:</b> Freedom to Speak Up Report                                                                                                                                        |                                                                                                                                            |
| <b>To be presented by:</b><br>Tom Fleetwood, Freedom to Speak Up Guardian and Rossa Baker Deputy Freedom to Speak Up Guardian                                                               | <b>Author:</b><br>Tom Fleetwood, Freedom to Speak Up Guardian                                                                              |
| <b>1. Status:</b> For Approval/Discussion/ <u>Assurance</u> /Noting/Information                                                                                                             |                                                                                                                                            |
| <b>2. Purpose:</b><br>This report provides members of Board with an update on the activities progressed by the Freedom to Speak Up Guardian during the period September 2025 to April 2026. |                                                                                                                                            |
| Strategic Objective                                                                                                                                                                         | Improve quality and patient outcomes                                                                                                       |
| Operational performance                                                                                                                                                                     | Deliver a sustainable, skilled workforce                                                                                                   |
| Quality                                                                                                                                                                                     | Improve quality through cultural change                                                                                                    |
| Legal, Regulatory, Audit                                                                                                                                                                    | Policy in accordance with National Guardian revised Policy                                                                                 |
| Finance                                                                                                                                                                                     | Provide better value for money                                                                                                             |
| Governance                                                                                                                                                                                  | Through POD                                                                                                                                |
| NHS policy/public consultation                                                                                                                                                              | In accordance with National Guardian Guidance                                                                                              |
| Accreditation/ Inspection                                                                                                                                                                   | Through POD                                                                                                                                |
| Anchor institutions                                                                                                                                                                         | N/A                                                                                                                                        |
| ICS/ICB/Alliance                                                                                                                                                                            |                                                                                                                                            |
| Board Assurance Framework (BAF) Risk                                                                                                                                                        | BAF4 - Quality assurance mechanisms regarding the quality and safety of patient services.<br>BAF5 - Workforce – recruitment and retention. |
| Other                                                                                                                                                                                       |                                                                                                                                            |
| <b>3. Summary:</b><br>The report summarises the concerns that have been raised with the FTSU Guardian and outlines the other programmes of work that are underway.                          |                                                                                                                                            |
| <b>4. Recommendations / Actions</b><br>Members are asked to note this report for information.                                                                                               |                                                                                                                                            |

## Freedom to Speak Up: Guardian's Report September 2025 to April 2026

### Introduction:

Future of the National Guardians Office and the way forward for FTSU

Key points:

- the NGO will close by the end of June 2026 following the Dash Review recommendations
- essential FTSU functions will transfer to NHS England, the Department of Health and Social Care (DHSC), the Care Quality Commission (CQC) and providers
- engagement with Guardians runs from January to February 2026

In July 2025, the [Dash review of patient safety across the health and care landscape](#) recommended that responsibilities of the NGO should be incorporated into providers, with functions aligned with other staff voice functions in NHS England. The review emphasised that ensuring these functions happen in all commissioners and providers should be a core function of CQC as the independent regulator. The [10 Year Health Plan](#) confirmed that the National Guardian's work will align with other national staff voice functions, meaning the distinct Office of the National Guardian will no longer be required. However, the commitment to Freedom to Speak Up remains strong, with guardians continuing to play a vital role in supporting speaking up culture.

A future where:

- FTSU guardians remain central to supporting speaking up in the NHS, with clear roles and appropriate resources
- guardians feel supported both locally through their organisations and nationally through NHS England
- leaders understand expectations of their role in FTSU and receive the support they need to fulfil these responsibilities
- NHS staff have confidence in speaking up mechanisms locally and nationally, knowing their concerns will be heard and acted upon
- the system continuously improves through learning from speaking up data and experiences that benefit patients and citizens

What this means:

- clear visibility of all FTSU guardians across organisations
- clear, consistent FTSU standards across all healthcare organisations
- appropriate balance between national consistency and local flexibility
- easy access to guidance and resources for guardians and leaders
- better integration with existing NHS data systems
- maintain consistent, high-quality foundation training for all guardians
- clear evidence of foundation training compliance for employers
- employers ensure specific continued professional development
- guardians have access to confidential, specialist support
- clear escalation routes for complex situations
- answers to FTSU-related queries are easily available

Within the ongoing debate of the future of the NGO and the way forward for FTSU Guardians the Board vision statement remains extant.

“We encourage our staff to raise concerns openly or anonymously if they prefer, safe in the knowledge they will be supported if they do, to make our trust a positive and trustworthy place to work and receive care.”

The National Guardian’s Office Annual Report April 2025 to March 2026 is attached. This is the NGO’s 9<sup>th</sup> and final report. Amongst other comment - “As we present this final annual report ahead of closing the NGO in June 2026, we wish to acknowledge and express our deep gratitude to leaders across the system, to the Freedom to Speak Up Guardians’ network Chairs and to our Freedom to Speak Up Guardian Mentors. Their dedication, professionalism and unwavering commitment have been central to embedding the right cultures for speaking up and strengthening the voices of workers across healthcare.”

## Current Period

The figures used in these tables are those submitted to the National Guardians Office (NGO) for 2025/2026:

|                                                | Q1<br>2025/2026 | Q2<br>2025/2026 | Q3<br>2025/2026 | Q4<br>2025/2026 |
|------------------------------------------------|-----------------|-----------------|-----------------|-----------------|
| Total<br>number of<br>concerns                 | 32              | 61              | 59              | 40              |
| An element<br>of Patient<br>Safety             | 11              | 23              | 22              | 23              |
| An element<br>of Bullying<br>and<br>Harassment | 8               | 18              | 14              | 15              |
| Other<br>Workplace<br>matters                  | 16              | 31              | 34              | 15              |

As ever the number of these concerns refer only to those brought to the Freedom to Speak Up Guardians and it is important to acknowledge that on a daily basis many concerns are raised directly with clinicians, line managers and administrators at every level. As such these figures only indicate fluctuations from a small snapshot across ESNEFT. For Q1 2026/2027 there have already been 57 concerns raised which might reflect increased visibility through All Staff briefings and ‘pop ins’.

It is worth restating that there is a difference between ‘Raising Concerns’ and that of the role of the ‘Freedom to Speak up Guardian. ‘Raising Concerns’ should be everyday practice and is something that we encourage staff to do, to improve our service. Freedom to Speak Up is a service designed to support, help and advise those members of staff who for whatever reason feel that they cannot raise

concerns, specifically those of patient safety, with their line management. This is either through fear of detriment or because they have already raised these concerns and nothing has happened. Our biggest challenge, reflected within the staff survey, is to ensure that all our managers listen to those who raise concerns and act and support them throughout

With this in mind there has been a significant lift in concerns from Q1 to Q2 and 3 with a slight drop off in Q4. These have included a number of group concerns and have resulted in a number of investigations. Of note are the number of ongoing concerns and in one case in particular the FTSU guardians have been involved for over 2 years. It is also not unusual for concerns to be revisited and there have been a number of return concerns raised over Q2 and 3. Within Q4 there has been an extensive and complex issue involving multiple staff that has still to reach a conclusion.

Across all four quarters the breakdown between patient safety, bullying and harassment and workplace concerns has remained remarkably consistent. That each concern includes 'elements of' rather than 'single reason' reinforces the need to look at concerns from all angles and it is very rare for there not to be contributing reasons as concerns develop. There remains the ever present question as to whether a rise in 'concerns raised' indicates more confidence amongst staff in raising concerns or a less satisfied workforce

The figures in this table indicate the different staff groupings that have raised concerns:

|                              | Q1<br>2025/2026 | Q2<br>2025/2026 | Q3<br>2025/2026 | Q4<br>2025/2026 |
|------------------------------|-----------------|-----------------|-----------------|-----------------|
| Anonymous                    | 1               | 9               | 6               | 11              |
| Doctors                      | 4               | 6               | 11              | 5               |
| Nurses/<br>Midwives          | 18              | 20              | 23              | 13              |
| AHP                          | 2               | 0               | 0               | 4               |
| Estates                      | 2               | 0               | 2               | 0               |
| Admin                        | 3               | 15              | 4               | 4               |
| Additional<br>Clinical staff | 2               | 3               | 8               | 1               |

Once again there is a consistency in the numbers of concerns raised from different staff groupings. Anonymous concerns present challenges all of their own in particular in feeding back to those who do not wish to be identified. The classification of 'anonymous' is slightly misleading as it does include those who have come to the guardian wishing their concern to remain 'confidential'. In this case

feedback can be delivered but often those who do not wish to be identified are clear that they do not want any follow up at all.

Feedback from the FTSU follow up survey continues to provide useful data with 92% stating that they would raise a concern again and that 64% felt that ESNEFT took their concerns seriously. On the down side 14% of those who responded indicated that they felt that they had suffered detriment of some kind and 36% did not know of any other avenues where they could have spoken up. These surveys are only sent to those who raise concerns through the FTSU service and therefore are a small snapshot.

## **Themes**

In the last report 4 themes were identified. These included concern over staff who work in the community and those staff who work in small bespoke services, a second theme being the closing of concerns, the third regarding the impact on an individual when speaking up and a perceived lack of empathy from managers and the fourth the lack of confidence staff have in the ability of their Line Managers to manage them fairly. These are being addressed in various degrees and the increase in visits from Executives to both clinical and non-clinical areas are clearly welcome, but the concerns still remain current and will take time to resolve. Further liaison with H&WB staff and Employee Relations continues and the Listening and Responding toolkit (attached) in October 2025 is already having an impact.

Adding weight to this has been a significant increase in the number of Line Managers signposting their own staff to FTSU for advice and support. That Line Managers do not have the confidence to deal with concerns that sit firmly within their own management chain is concerning and was one of the principal reasons for the roll out of the Listening and Responding Toolkit. The understanding and adoption of a more compassionate leadership style would certainly help.

An increase in managing staff with neurodiversity has also become apparent and the rise in the number of staff with late onset diagnosis, and a belief that managers are not equipped to manage or support their needs in the workplace is becoming noticeable. Mention here should be made of Romilly O'Driscoll whose support to staff as part of her education role was exemplary

Sadly there has been a number of EDI/Culture based concerns that have been raised with FTSU or which FTSU has become aware of. These were reviewed with the Director People and other key EDI players in Jan 2026 and a number of case studies were examined.

Unsurprisingly there have been a number of concerns that have included comment on Epic. These have specifically commented on the link between benefits / workload / staff shortages / MARS / Vacancy freezes and sometimes include comment on a disconnect between line managers and senior managers.

Finally regarding themes and following extensive questioning of those who have raised patient safety concerns has been an assurance that they will actively seek out FTSU to raise patient safety concerns and will advise their colleagues likewise

## **How the Guardian and Assistant FTSU Guardians are working to improve the culture of speaking up throughout ESNEFT.**

What's going well: Key to any change in the culture of speaking up is unswerving support from the Board to the Guardian and Deputy. This is clear and real.

Even better if: All those with leadership responsibilities mirrored this example. There is still a way to go to get managers to recognise the importance in supporting those who raise concerns. Participating in the Speak Up / Listen Up / Follow Up training course which will be mandatory for all managers will make a difference.

## **Speaking up policies and processes are effective and constantly improved**

What's going well: In addition to the Trust FTSU policy the recent Raising Concerns toolkit provides managers with an easily digestible and practical aide memoire.

Even better if: Each department within the Trust should look at their own speaking up arrangements and where necessary approach the FTSU for advice.

## **Senior leaders are role models of effective speaking up**

What's going well: Executive Team and other Senior Managers remain firmly committed to 'speaking up'. This is markedly different from the experience of Guardians in other Trusts.

Even better if: Managers at every level understood the same. There is still reservation amongst some in accepting and addressing concerns.

## **All workers are encouraged to speak up**

What's going well: The Guardian and Deputy contribute to each induction including those for FY1 and FY2 and Consultants. FTSU is embedded within EDI and EMBRACE, is part of the Wellbeing MDT, briefs the Staff Partnership forum regularly and offers advice and bespoke training sessions to individual departments when asked

Even better if: There is still a noticeable reservation among some staff in speaking up and this has been highlighted within both the staff survey and during the recent CQC inspection. This is not a lack of confidence in the FTSU process but a commentary on the lack of confidence that staff have in their Line Managers listening to and then acting upon concerns.

## **Individuals are supported when they speak up**

What's going well: Most managers do support staff who speak up but there are still areas where the Trust could improve. There are positive examples of those who have felt listened to and supported and the challenge now is to promulgate this success.

Even better if: We must do better in highlighting our successes.

## **Barriers to speaking up are identified and tackled**

What's going well: FTSU remains embedded within EDI in the Trust and contributes to and is part of the development of further policies. On each and every occasion where a concern has an element that might involve issues of race the Head of EDI is included within the resolution of the concern. The Trust needs to continue to build cultural competence and awareness to remove barriers to speaking up

**Freedom to speak up is consistent throughout the health and care system, and ever improving**

What's going well: The FTSU Guardian retains extensive links into the regional East of England grouping. Continuity of Practice (COP) meetings are held once a month and the E of E group meet in person twice a year.

Even better if: A clear way forward is produced in good time from NHS E. The Guardians have joined each stakeholder session, have offered comment and highlighted good practice and have been reassured by the strong support from the Board regarding the future of FTSU within ESNEFT.