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| **Agenda item:** | **11** |
| **Attachment:** | **E** |

**HRA BOARD COVER SHEET**

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| **Date of Meeting:** | 22nd July 2015 |

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| **Title of Paper:** | Freedom to Speak up – Francis report on ‘whistle blowing’ |
| **Purpose of Paper:** | To determine the nature of HRA’s response to the recommendations, principles and actions of the report |
| **Reason for Submission:** | To ensure the HRA meets its required obligations in relation to the findings of the Francis report |
| **Details:** | The report was commissioned by the SoS Health in July 2014 and published in early 2015 in response to the concern that there still, wasn’t a robust enough policy and procedural framework for NHS Staff to feel comfortable in raising issues/concerns. The focus of the report is primarily on Trusts, NHS England and the major regulators. However it is important that the HRA considers the content of the report and adopts a **proportionate** response to the recommended actions contained within it. Attached is an extract from the full report capturing those key principles and associated actions that relate directly to the Board (the full report can be found at [https://freedomtospeakup.org.uk](https://freedomtospeakup.org.uk/wp-)) It was agreed that a paper should come to the board for two main purposes:   1. To raise the awareness of the board as to their responsibilities in relation to the recommendations of the report and to agree any actions required 2. To offer the board sight of the actions that HRA Executive Team intend to take in relation to engaging staff   It is important for the board to note that many of the requirements outlined in the Francis report are already covered in our current Whistleblowing policy. However as part of the overall response this will be updated to ensure that it reflects the key principles and actions outlined in the report. |
| **Suitable for wider circulation?** | Will be published on website as part of Board papers. |
| **Time required for item:** | 15 mins |

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| **Recommendation / Proposed Actions:** | **To Approve** | | **Yes** |
| **To Note** | |  |
| **For Discussion** | | **Yes** |
| **Comments** |  | |

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| **Name:** | Ian Cook |
| **Job Title:** | Director Corporate Services |
| **Date:** | 13th July 2015 |

**FRANCIS REPORT – FREEDOM TO SPEAK UP**

There are twenty principles and over fifty associated actions contained in the Francis Report (the full report can be found at <https://freedomtospeakup.org.uk>). What this short paper intends to do is identify those areas which the responsibilities of the board are specifically mentioned and where a board response is required. It also outlines the intended actions that the Executive will take in addressing further specific actions which are required and a suggested high level comms plan to engage staff.

(Please note numbering is as contained in the original report).

**Principles where the board is required to take specific action**

**Principle 1**

Culture of safety: Every organisation involved in providing NHS healthcare, should actively foster a culture of safety and learning, in which all staff feel safe to raise concerns.

**Action 1.1: Boards should ensure that progress in creating and maintaining a safe learning culture is measured, monitored and published on a regular basis.**

**Principle 5**

Culture of valuing staff: Employers should show that they value staff who raise concerns, and celebrate the benefits for patients and the public from the improvements made in response to the issues identified.

**Action 5.1: Boards should consider and implement ways in which the raising of concerns can be publicly celebrated.**

**Principle 11**

Support: All NHS organisations should ensure that there is a range of persons to whom concerns can be reported easily and without formality. They should also provide staff that raise concerns with ready access to mentoring, advocacy, advice and counselling.

**Action 11.1: The Boards of all NHS organisations should ensure that their procedures for raising concerns offer a variety of personnel, internal and external, to support staff who raise concerns including:**

a) a person (a ‘Freedom to Speak Up Guardian’) appointed by the organisation’s chief executive to act in a genuinely independent capacity

**b) a nominated non-executive director to receive reports of concerns directly from employees (or from the Freedom to Speak Up Guardian) and to make regular reports on concerns raised by staff and the organisation’s culture to the Board**

**c) at least one nominated executive director to receive and handle concerns**

d) at least one nominated manager in each department to receive reports of concerns

e) a nominated independent external organisation (such as the Whistleblowing Helpline) whom staff can approach for advice and support.

**Actions required to be taken by the Executive**

The actions outlined below and responses and any associated nominations for roles will be considered at EMT in August and communicated to the Board and staff in September:

* Appointment of a ‘Freedom to Speak Up’ Guardian an independent appointment by the Chief Executive
* At least one nominated executive director to receive and handle concerns
* At least one nominated manager in each department to receive reports of concerns
* Every member of staff should receive training in their organisation’s approach to raising concerns and in receiving and acting on them (based on curriculum devised by HEE and NHS England)
* All NHS organisations should have access to resources to deploy alternative dispute resolution techniques.

**Communication with staff**

A key theme running throughout the report is to ensure that staff are fully engaged in the process to this end after the discussion at this board and the subsequent EMT meeting in August the following communication plan will be put in place:

1. Directors to share agreed approach with management teams - August/September
2. All Staff VC used to share information and invite questions - September
3. Training programme begins - Oct/Nov

**Conclusion**

In terms of addressing the requirements of the report it is important that the HRA, whilst ensuring it recognises and responds positively to its findings and recommendations, does so in a proportionate and sustainable manner.