



Through the Audit Committee Lens

Freedom To Speak Up - Update

October 2023

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Freedom to Speak Up Update

1. Introduction & Background

From 2022 all NHS organisations and others providing NHS healthcare services in primary and secondary care in England were required to adopt NHS England's mandated policy on Freedom to Speak Up (FTSU) as the minimum standard.

Organisations must appoint Freedom to Speak Up Guardians who support workers to speak up when they feel that they are unable to do so by other routes.

Guardians ensure that people who speak up are thanked, that the issues they raise are responded to, and make sure that the person speaking up receives feedback on the actions taken.

Workers can and do speak up to Freedom to Speak Up Guardians about anything that gets in the way of providing good care.

The goal of Speak Up is to help patients and their advocates become active in their care. Medication errors, incorrect hand hygiene, surgery-related errors and many others can lead to serious patient harm. Therefore, "speaking up" is considered an important patient safety behaviour for healthcare professionals and involves raising concerns verbally and in a timely manner. This may include patient and worker experience, bullying and harassment, ideas for improvement and other matters.

During 2022, MIAA produced an Insight publication which provided information to support audit committees in reviewing their organisation's FTSU governance arrangements including reporting and their role of oversight and challenge of FTSU processes within the organisation.

This Insight is a follow up intended to

prompt and inform assessment of the effectiveness of the systems and processes developed to embed the role of the FTSU Guardian and providing assurance to the Board.

2. The Audit Committee's Role and FTSU

The Audit Committee is responsible for providing assurance to the Board on the organisation's systems and processes of internal control and should have oversight and challenge of the FTSU processes within the organisation. The committee should ensure that arrangements are in place for the proportionate and independent investigation of FTSU, reporting and for appropriate follow-up action.

The following prompts will help the Audit Committees to collate evidence to provide assurance to the Board.

1. Does the comprehensive Policy for Freedom to Speak Up in place support the Trust's Freedom to Speak Up Strategy? Are the Policy and Strategy consistent with the guidance from the National Guardians Office? Is there a process to review the alignment regularly?
2. Is there sufficient resilience for supporting FTSU Guardians and Champions roles? Has the FTSU Guardian been trained to the standards specified by the National Guardians Office and is registered on the National Guardian Office Database?

Has the Trust nominated both an Executive and Non-Executive Director as leads for FTSU? Have both received training from the Guardian?

3. Are there procedures in place to ensure that all staff are aware of their right to access the office of the FTSU Guardian freely without any potential victimisation? Does all staff and senior leaders' induction training include a section regarding the FTSU agenda? Is compliance with the training reported with other mandatory training returns?
4. Does the Trust have a forward-looking calendar for completing the NHSE self-assessment tool for FTSU? Does this include the FTSU Board development workshop?
5. Has the Trust identified which governance arrangements the FTSU Guardian should sit on and report to? Does the Trust Board also receive, as a minimum, an annual report from the Guardian on the FTSU activity from the previous year?
6. Has the organisation allocated resources / budgets to produce information in support of "Speak Up" campaigns such as: posters, animated videos and user's guide on how and to whom organisations can distribute materials to?
7. Is the recording of concerns raised undertaken in accordance with Trust Policy and National Guardian Office guidance? Are detailed outcomes recorded as part of the investigation and held

securely with restricted access?

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9. Is feedback provided to the individual raising the concern where possible (not always possible if the concern is anonymous)?
10. Is the effectiveness of these administrative mechanisms for FTSU assessed and reported to the audit committee, quality committee, workforce committee, or other appropriate committee for assurance purposes before escalation to the Board?
11. Are lessons learned and relevant actions taken from concerns shared and implementation monitored?

Find out more: If you have any queries or feedback on this briefing, please contact: Sarah Dowbekin, Head of R&D, QA & Professional Standards at MIAA (M: 07788 308 155; E: sarah.dowbekin@miaa.nhs.uk)