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| Meeting Title | Board of Directors | | |
| Date | 11.07.19 | Agenda item | Bo.7.19.40 |

FREEDOM TO SPEAK UP (FTSU) ANNUAL REPORT 2018/19

| | | | |
|--|--|----------|--|
| Presented by | Karen Dawber – Chief Nurse | | |
| Author | Andrea Gillespie – Quality Lead for Nursing and Midwifery and Deputy FTSU Guardian | | |
| Lead Director | Karen Dawber – Executive Lead for FTSU | | |
| Purpose of the paper | This paper provides assurance to the Board of Directors in relation to the conduct and outcome management of the Freedom to Speak Up arrangements in the Trust | | |
| Key control | This paper is a key control for the strategic objectives to provide outstanding care for patients and to be in the top 20% of NHS Employers | | |
| Action required | To note | | |
| Previously discussed at/ informed by | Details of any consultation - None | | |
| Previously approved at: | Committee/Group | Date | |
| | Quality Committee | 29.05.19 | |
| | | | |
| Key Options, Issues and Risks | | | |
| This paper provides the 2018/19 annual update for the Board of Directors on Freedom to Speak Up (FTSU) at Bradford Teaching Hospitals. | | | |
| Analysis | | | |
| This paper describes the number of FTSU concerns that have been raised during 2018/19 at BTHFT, the main themes from these concerns and the groups of staff who have reported a concern. | | | |
| In addition the report includes the National FTSU figures for Quarter (Q) 4. | | | |
| It also includes the 2018 NHS staff survey results on safety culture about raising concerns. | | | |
| Recommendation | | | |
| For the Committee to note the contents of the report and the concerns that have been raised at BTHFT in 2018/19. | | | |
| For the Committee to note the National Q4 data headlines. | | | |
| For the Committee to note the work of the FTSU Guardian and Associate Guardian at BTHFT. | | | |
| For the Committee to note the 2018 NHS staff survey results on safety culture about raising concerns. | | | |

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| Risk assessment | | | | | | |
|--|--------------|---------|----------|------|-------------|--------|
| Strategic Objective | Appetite (G) | | | | | |
| | Avoid | Minimal | Cautious | Open | Seek | Mature |
| To provide outstanding care for patients | | | g | | | |
| To deliver our financial plan and key performance targets | | | g | | | |
| To be in the top 20% of NHS employers | | | | | g | |
| To be a continually learning organisation | | | | g | | |
| To collaborate effectively with local and regional partners | | | | | g | |
| The level of risk against each objective should be indicated. Where more than one option is available the level of risk of each option against each element should be indicated by numbering each option and showing numbers in the boxes. | Low | | Moderate | High | Significant | |
| | Risk (*) | | | | | |
| Explanation of variance from Board of Directors Agreed General risk appetite (G) | | | | | | |

| Benchmarking implications (see section 4 for details) | Yes | No | N/A |
|---|--------------------------|-------------------------------------|-------------------------------------|
| Is there Model Hospital data relevant to the content of this paper? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is there any other national benchmarking data relevant to the content of this paper? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the Trust an outlier (positive or negative) for any benchmarking data relevant to the content of this paper? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Risk Implications (see section 5 for details) | Yes | No |
|---|-------------------------------------|-------------------------------------|
| Corporate Risk register and/or Board Assurance Framework Amendments | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Quality implications | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Resource implications | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Legal/regulatory implications | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Diversity and Inclusion implications | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Performance implications | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| Regulation, Legislation and Compliance relevance |
| NHS Improvement: (please tick those that are relevant) <input type="checkbox"/> Risk Assessment Framework <input type="checkbox"/> Quality Governance Framework <input type="checkbox"/> Code of Governance <input type="checkbox"/> Annual Reporting Manual |
| Care Quality Commission Domain: Well Led |
| Care Quality Commission Fundamental Standard: Good Governance |
| NHS Improvement Effective Use of Resources: People |
| Other (please state): |

| | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Relevance to other Board of Director's Committee: (please select all that apply) | | | | | |
| Workforce | Quality | Finance & Performance | Partnerships | Major Projects | Other (please state) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| 1 | PURPOSE/ AIM |
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- 1.1 This paper provides assurance to the Board of Directors in relation to the conduct and outcome management of the FTSU arrangements in the Trust by:
- Providing an update, using the National Guardian's Office template, on FTSU and the progress in 2018/19.
 - Reporting on the number of FTSU concerns that have been raised at BTHFT in 2018/19 Q4 (Appendix 1).
 - Reporting on the number of FTSU concerns raised at BTHFT during 2018/19 (Appendix 2).
 - Providing the latest National FTSU Q4 headlines (Appendix 3).
 - Reviewing the 2018 NHS staff survey results on safety culture about raising concerns (Appendix 4).
 - Providing the latest version of the FTSU action plan (Appendix 5).

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| 2 | BACKGROUND/CONTEXT |
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- 2.1 One of the recommendations from Sir Robert Francis' *Freedom to Speak Up* review of the NHS, published in April 2015, was that each NHS Trust should appoint a Freedom to Speak Up Guardian. The review sets out 20 principles and actions to ensure that NHS workers can speak up freely at work, without fear of detriment, to create a safer and more effective service for everyone.

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- 2.2 Effective speaking up arrangements help to protect patients and improve the experience of NHS workers. Having a healthy speaking up culture is an indicator of a well-led Trust.
- 2.3 The FTSU Guardian has a key role in helping to raise the profile of raising concerns in their organisation and provide confidential advice and support to staff in relation to concerns they have about patients' safety and/or the way that the concern has been handled.
- 2.4 The Trust's Freedom to Speak Up Guardian is Sue Franklin, Associate Chief Nurse for Quality Improvement, and the Deputy FTSU Guardian is Andrea Gillespie, Nursing and Midwifery Quality Lead. Karen Dawber, Chief Nurse, is the Executive Lead for FTSU and there is an identified Non-Executive Director Lead, Laura Stroud. There are also a number of Associate Guardians who have completed the National FTSU training.
- 2.5 Freedom to Speak Up sits within the Trust's *Policy of Raising Concerns at Work (Whistleblowing)*.
- 2.6 The Care Quality Commission (CQC) assesses a Trust's speaking up culture during inspections under key line of enquiry (KLOE) 3 as part of the well-led question.
- 2.7 The FTSU focus group meets bi-monthly. This meeting is to update the FTSU group on any new updates from the National Guardian's Office (NGO) and also to discuss and monitor any ongoing FTSU concerns and issues.
- 2.8 The FTSU group have a Human Resources (HR) link who they liaise with as/when necessary to discuss certain concerns that need HR support.
- 2.9 The National Guardian's Office (NGO) issues regular information and updates that are discussed at the monthly meetings to ensure that the Freedom to Speak Up focus group is using the most up-to-date information that the NGO provides. It also directs how we listen to concerns and document those concerns.
- 2.10 Following any case review published by the NGO, the FTSU group discuss the recommendations and check which ones are relevant to BTHFT. Any relevant recommendations are actioned to ensure we meet the expected standards.
- 2.11 There is also attendance at the FTSU regional network, Yorkshire and Humber quarterly meeting.
- 2.12 The National Guardian's Office requests regular updates and currently requests quarterly reports (in a standard template) on the concerns raised from each NHS Trust. We have complied with this submission.

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- 2.13 In May 2018, NHS Improvement and the NGO issued new guidance for boards on FTSU in NHS Foundation Trusts and a self-review tool for boards of all NHS Foundation Trusts to complete. This was completed at BTHFT in October 2018 and an action plan produced which is monitored through the bi-monthly meeting of the FTSU focus group.

3 PROPOSAL

- 3.1 The promotion of FTSU is ongoing at the Trust however more targeted promotion is planned in relation to specific staff groups, i.e. the staff groups that have raised little or no concerns and specific isolated departments, i.e. departments that may not have been previously captured at previous promotion events held in the concourse at BTHFT. This will include wards and the numerous departments at SLH, Westbourne Green, Westwood Park, maternity services and the operating departments.
- 3.2 The recruitment of additional FTSU Associate Guardians is proposed to ensure we have representation of a variety of staff groups at all levels.
- 3.3 Early discussions have commenced about a potential future Quality Improvement project which will focus upon how unacceptable behaviours such as incivility between staff affects other members of the team which subsequently impacts upon the quality and safety of the care given to patients and their experience. Future board reports will update on the progress of this proposal.

4 BENCHMARKING IMPLICATIONS

- 4.1 Alongside the data headlines for each quarter (Appendix 3), the NGO publish on their webpages the data submitted by all the Trusts in England. This enables each organisation to benchmark against similar types and sizes of organisations.
- 4.2 In addition the annual NHS staff survey on safety culture about raising concerns provides an opportunity to monitor how BTHFT is performing in relation to other organisations classified as the best, average and worst performing.
- 4.3 At the bi-monthly FTSU meetings there is a standard item on the agenda where the group discusses NGO data, BTHFT data and board reporting and the annual staff survey results are discussed when published.

5 RISK ASSESSMENT

- 5.1 The FTSU Guardian has 7.5 hours protected time within their substantive role to perform their FTSU duties. The deputy and Associate Guardians currently have no protected time within their substantive roles.

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- 5.2 It was highlighted in an internal audit report that if there was to be a sudden influx of concerns we would need to address the resource requirements; this could be a potential weakness in the system. However, it has been agreed that the current level of concerns can be managed adequately.

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| 6 | RECOMMENDATIONS |
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- 6.1 To note the main themes and the important issues raised through FTSU during 2018/19.
- 6.2 To support the work of the FTSU group to continue with the FTSU campaign including raising awareness sessions for staff and education for Guardians.
- 6.3 To continue with quarterly reports to the Quality Committee and to the Board of Directors to update on progress with FTSU.

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| 7 | Appendices |
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Appendix 1 - FTSU concerns raised at BTHFT in 2018-19 Q4.

Appendix 2 - Analysis of FTSU concerns raised at BTHFT in 2018/19.

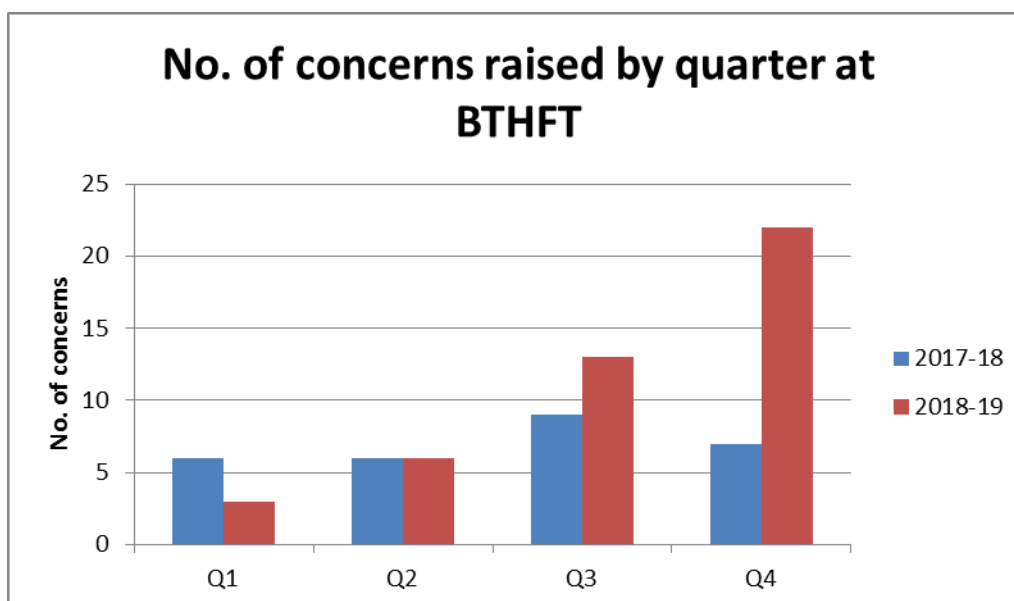
Appendix 3 - National FTSU Q4 headlines.

Appendix 4 - 2018 NHS staff survey results on safety culture about raising concerns.

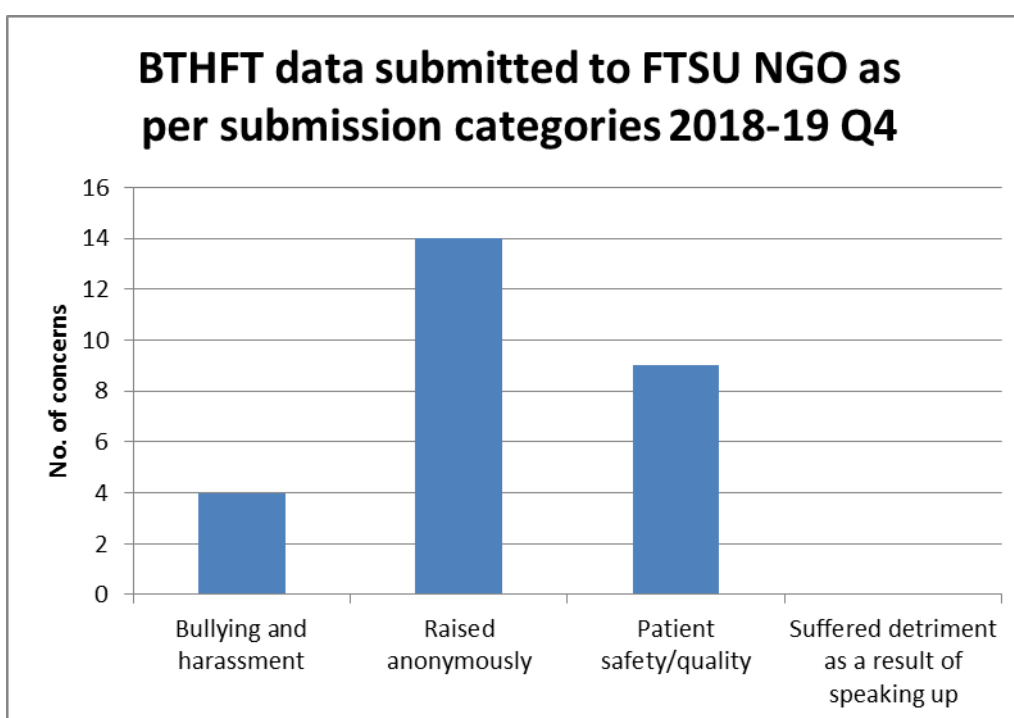
Appendix 5 – Latest version of the FTSU action plan.

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Appendix 1 – FTSU concerns raised at BTHFT in 2018-19 Q4



- 1.1 The graph above includes the number of concerns raised at BTHFT in 2018-19 Q4. It is displayed alongside 2018-19 Q1-3 data and 2017-18 Q1-4 data to facilitate comparison.
- 1.2 Of the twenty two concerns raised in Q4, fourteen of them were in relation to the same area, the Accident and Emergency Department. They raised a variety of issues which have been addressed or are part of the ongoing organisational work currently in progress within the department.

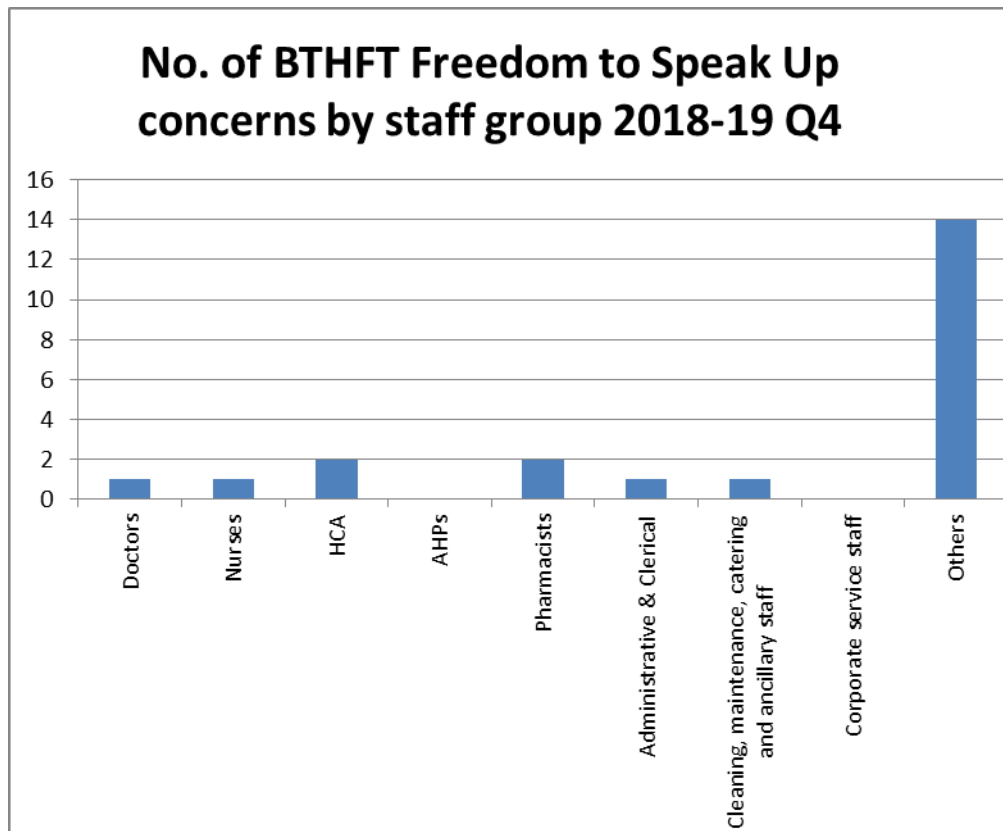


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- 1.3 The graph above demonstrates the data set submitted by BTHFT to the FTSU NGO 2018-19 Q4.
- 1.4 The highest number of concerns raised in Q4 were in relation to patient safety/ quality. This was partly due to seven of the fourteen concerns raised in relation to the Accident and Emergency Department (AED) referring to issues that may compromise patient safety or the quality of their care.
- 1.5 Of the twenty two concerns raised in Q4, fourteen were raised anonymously via the BTHFT FTSU app. It is important to note that when a concern is raised anonymously there is no opportunity to ask for more information to aid the investigation or update the person raising their concern.

However the detail included in a concern raised anonymously often allows the ward or department to be identified. Of the fourteen concerns raised anonymously in Q4 twelve were raised in relation to the AED. This prompted targeted work in the department including weekly 'Let's Talk' meetings for staff with members of the Executive team, FTSU 'Drop In' sessions and focussed pieces of work led by the Transformation and Organisational Development teams around communication and team building. Advice was sought from the National Guardian Office to ensure the issues were being addressed appropriately and fully.

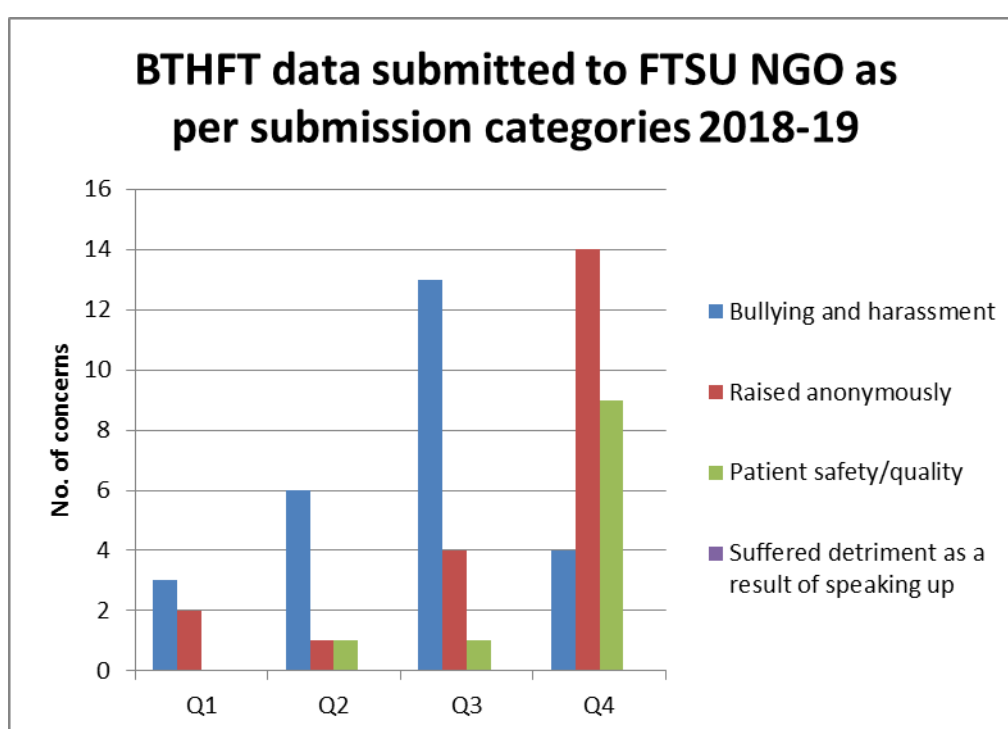
- 1.6 No person raising a concern has reported suffering detriment for doing so in Q4.



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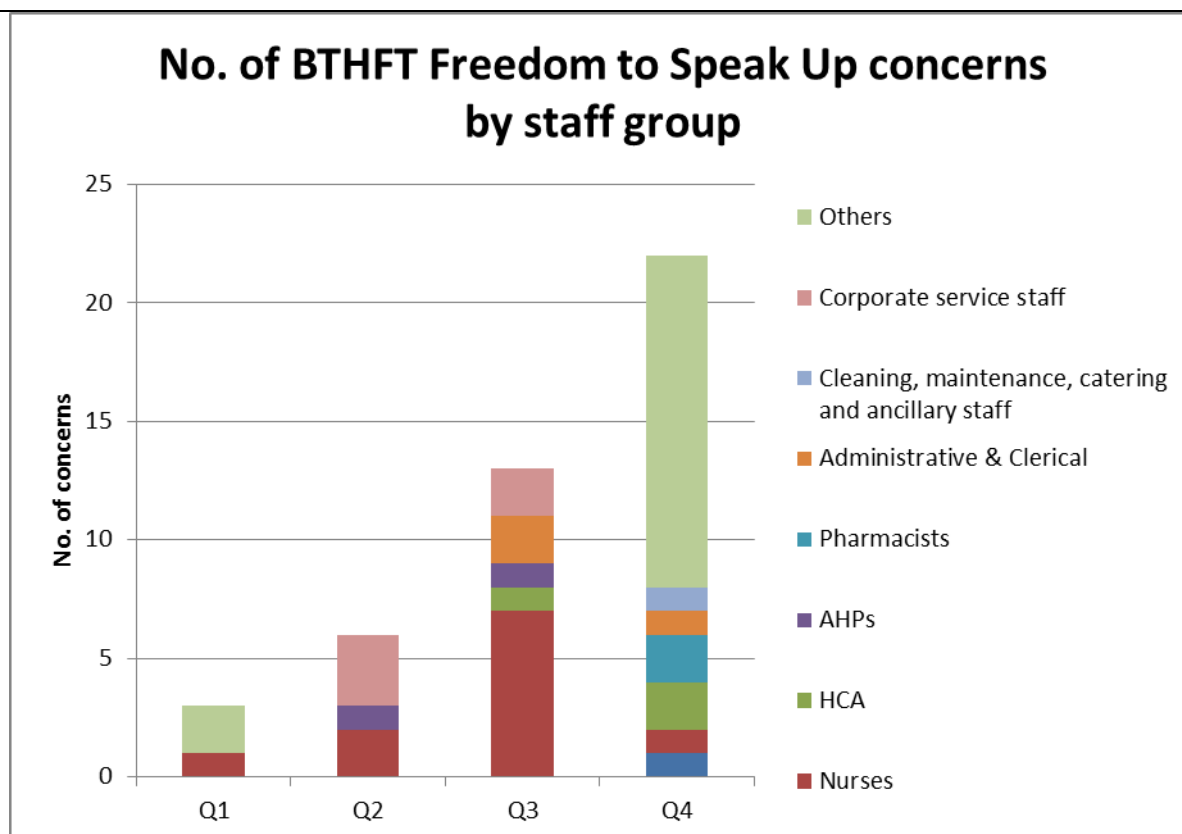
- 1.7 The graph above demonstrates the staff groups at BTHFT that have raised concerns in 2018-2019 Q4.
- 1.8 This data is utilised to identify areas where promotion/education around FTSU may be required.
- 1.9 The fourteen anonymous concerns account for the fourteen others.

Appendix 2 – Analysis of FTSU concerns raised at BTHFT in 2018/19



| Quarter | Bullying and harassment | Raised anonymously | Patient safety/quality | Suffered detriment as a result of speaking up |
|--------------|-------------------------|--------------------|------------------------|---|
| Q1 | 3 | 2 | 0 | 0 |
| Q2 | 6 | 1 | 1 | 0 |
| Q3 | 13 | 4 | 1 | 0 |
| Q4 | 4 | 14 | 9 | 0 |
| Total | 44 | 21 | 11 | 0 |

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| Staff group | Q1 | Q2 | Q3 | Q4 |
|---|----|----|----|----|
| Doctors | 0 | 0 | 0 | 1 |
| Nurses | 1 | 2 | 7 | 1 |
| HCA | 0 | 0 | 1 | 2 |
| AHPs | 0 | 1 | 1 | 0 |
| Pharmacists | 0 | 0 | 0 | 2 |
| Administrative & Clerical | 0 | 0 | 2 | 1 |
| Cleaning, maintenance, catering and ancillary staff | 0 | 0 | 0 | 1 |
| Corporate service staff | 0 | 3 | 2 | 0 |
| Others | 2 | 0 | 0 | 14 |

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Appendix 3 – National Q4 data headlines

Introduction

The National Guardian's Office asked Freedom to Speak Up Guardians in all trusts and foundation trusts for information on Freedom to Speak Up cases raised with them in the fourth quarter of 2018/19 (1 January to 31 March 2019). The latest results are set out in the attached table and reveal that 97 per cent of trusts have provided data this quarter.

Q4 data headlines

- **3,406** cases were raised to Freedom to Speak Up Guardians / ambassadors / champions
- **928** of these cases included an element of patient safety / quality of care
- **1,312** included elements of bullying and harassment
- **122** related to incidents where the person speaking up may have suffered some form of detriment
- **506** anonymous cases were received
- **5** trusts did not receive any cases through their Freedom to Speak Up Guardian
- **220 out of 227 NHS trusts** sent returns

Who is speaking up?

Based on the information provided, most cases were received from nurses:

| Profession | % Recorded |
|--|------------|
| Nurses | 29% |
| Administrative / Clerical workers | 15% |
| Allied health professionals (other than pharmacists) | 13% |
| Other* | 13% |

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| Healthcare assistants | 9% |
| Doctors | 8% |
| Corporate service staff | 5% |
| Cleaning/catering/maintenance/ancillary staff | 5% |
| Midwives | 1% |
| Pharmacists | 1% |
| Board members | <0.5% |
| Dentists | <0.5% |

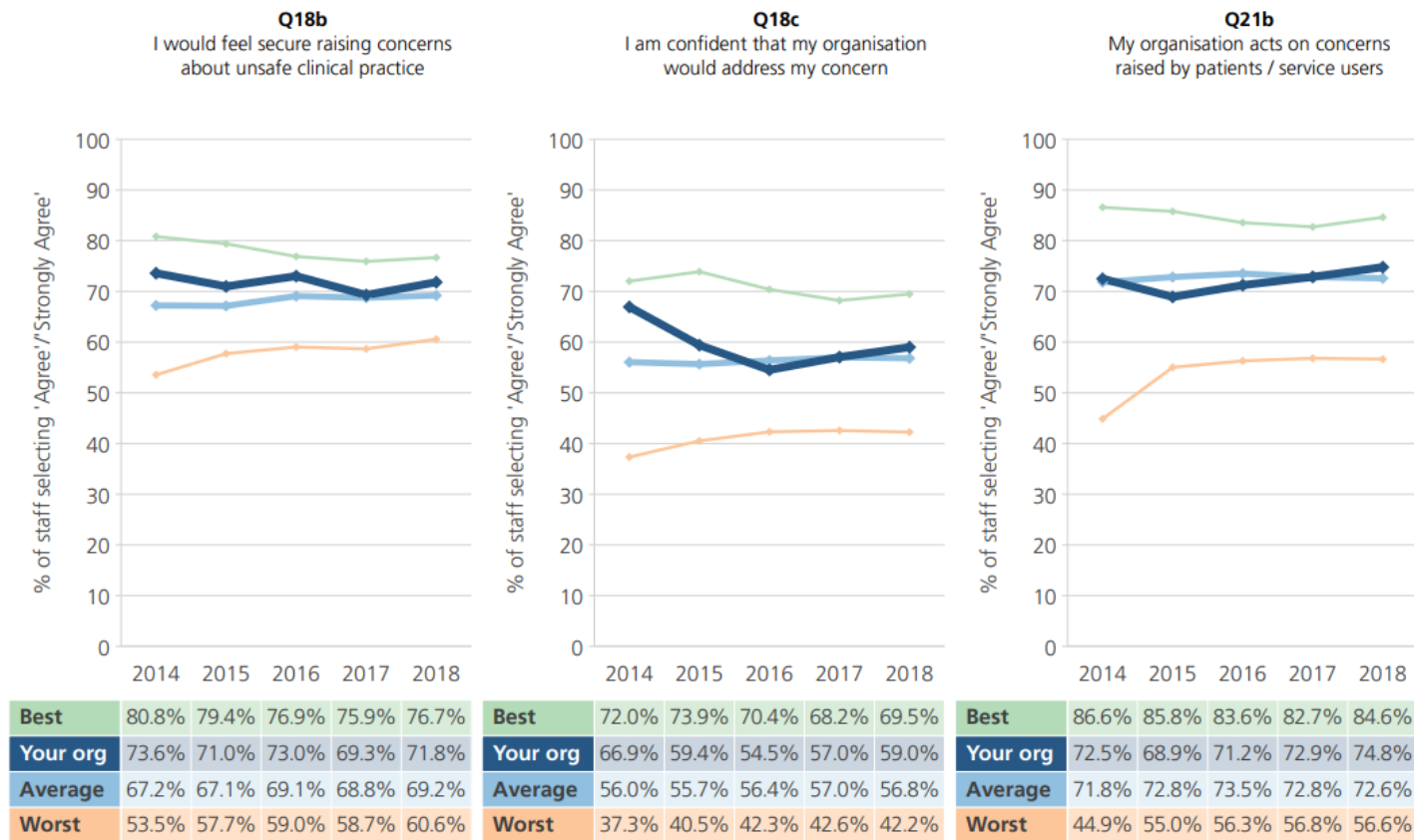
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Appendix 4 - 2018 NHS staff survey results on safety culture about raising concerns

Survey
Coordination
Centre

2018 NHS Staff Survey Results > Theme results > Detailed information > Safety culture 2/2


England



35

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Appendix 5 - Latest version of the FTSU action plan.

| FTSU Action Plan – Following on from Board Self-Assessment | | | | Date initiated | 12/10/2018 |
|--|--------------------------------|--|-----------------------|-------------------------------|--|
| | | | | Date of update | 20/11/2018 31/01/2019 30/04/2019 |
| | | | | | |
| Accountability | | | Responsibility | | |
| Lead | Oversight/governance structure | | Lead | Work-stream/operational group | |
| Chief Nurse | Quality Committee | | Associate Chief Nurse | FTSU Operational Meeting | |

| Aim | Objective | | Expected Outcome | Assurance Mechanism | Review date |
|--|-----------|---|--|---------------------|--------------------------------------|
| | Ref | | | | |
| To enable staff to feel safe to raise concerns within the organisation | 1 | To implement changes to the Infrastructure based on the Board self-assessment | Compliant structure to deliver the activity and oversight for the FTSU function | Quality Committee | On-going 30 th June 2019 |
| | | | To increase the width of the associate guardians to incorporate students and non-managerial staff | | |
| | 2 | To raise the profile of the FTSU function | To increase awareness of FTSU | Quality Committee | On-going, 30 th June 2019 |
| | 3 | To provide appropriate education and training for staff, managers and guardians | To ensure that all staff and managers are aware of the function of FTSU and how to work within the policy. | Quality Committee | On- going, review 30th June 2019 |

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| Communications plan | | | | |
|------------------------|---|-----------------|----------------------------|-----------------|
| What? | Who? | By whom? | How? | How frequently? |
| Action plan support | Nursing & Midwifery Quality Lead | | Via FTSU Operational Group | Bi monthly |
| Action Plan Oversight | Chief Nurse | | Quality Committee | Monthly |
| Action Plan Management | Associate Chief Nurse Quality Improvement | | Via FTSU Operational Group | Bi monthly |
| Change team members | | | | |
| Name | Job title | Contact details | | Initial |
| Andrea Gillespie | Nursing and Midwifery quality leave | | | AG |
| Lorraine Cameron | Head of Equality and Diversity | | | LC |
| Sue Franklin | Associate Chief Nurse Quality Improvement | | | SF |
| Sarah Freeman | Head of Nursing | | | SFr |
| Melinda Howard | Matron | | | MH |
| Laura Jones | Lead Cancer Manager | | | LJ |
| Amandeep Singh | Partnership Lead | | | AS |
| Rupert Allen | Principal Dietician | | | RA |
| Anthony Doggett | Business support lead | | | AD |
| Karen Dawber | Chief Nurse | | | KD |
| LeeAnne Elliott | Consultant and Associate Medical Director | | | LE |
| Status: | | | | |
| O | Open | | | |
| O | Open and compromised | | | |
| C | Closed | | | |
| OD | Overdue | | | |

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| Objective | | 1 | To implement changes to the Infrastructure based on the Board self-assessment | | | | | | |
|-----------|--|------|---|----------------------|--------|-------------------------------|---|--|--|
| No | Action | Lead | Date Assigned | Scheduled completion | Status | Actual Completion | Comments | Evidence | |
| 1.1 | For the existing FTSU Guardian to be recognised as the Executive lead for FTSU and to appoint a 0.2 WTE FTSU Guardian | KD | 31/10/18 | 31/12/18 | C | 1 st February 2019 | Executive Lead proposed and agreed by Board as part of development session. Executive Lead has written to all associate guardians asking for expressions of interest. | Letter to FTSU associate guardians 1/02/2019 – Sue Franklin Letter | |
| 1.2 | To arrange for quarterly meetings with the Chair, Chief Executive, NED lead, Executive Lead for FTSU and FTSU Guardian | KD | 31/10/18 | 30/11/18 | C | 31/10/18 | Meetings to be scheduled from Q4 2018/19 and quarterly thereafter | Diaries | |
| 1.3 | Arrange for regulators to be briefed on the activity of the FTSU office | KD | 31/10/18 | 30/11/18 | C | 31/10/18 | FTSU quarterly report to be a standing item (every quarter) at the NHSI quarterly review meetings, CCG Contract Management Board and CQC engagement meeting | NHSI provided with FTSU reports | |
| 1.4 | To look at arrangements for sharing case studies outside of the organisation | SF | 31/10/18 | 31/03/19 | O | | To discuss at Yorkshire and Humber FTSU network | Remains open due to cancellation of regional meeting. To be discussed at next meeting June 6 th 2019. | |
| 1.5 | To expand the number of people in a FTSU role: Associate Guardians; Junior Guardian / Ambassadors | SF | 31/10/18 | 31/03/19 | C | 30/04/19 | To ask for expressions of interest in Let's Talk FTSU feature in April 2019 | Two expressions of interest | |

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| | | | | | | | | received. In process of arranging training dates. |
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| Objective | | 2 | To raise the profile of the FTSU function | | | | | |
|------------------|--|----------|---|----------------------|--------|-------------------|--|----------------------------|
| No | Action | Lead | Date Assigned | Scheduled completion | Status | Actual Completion | Comments | Evidence |
| 2.1 | To ensure FTSU is on Trust induction for all new starters and Junior Doctor induction | SF/AG | 31/10/18 | 30/11/18 | C | 31/10/18 | FTSU is covered on all Trust induction for all staff | Trust induction slide pack |
| 2.2 | FTSU to be promoted at all band 5,6 and 7 nursing development days | SF/AG | 31/10/18 | 30/11/18 | C | 31/10/18 | FTSU is on the development days and leaflets shared with the staff | Development day slide pack |
| 2.3 | FTSU stand quarterly throughout the year in the Main concourse and at SLH to promote FTSU | SF/AG | 31/10/18 | 30/11/18 | C | 31/10/18 | Communication plan is discussed at bi-monthly operational meeting. | Minutes of meetings |
| 2.4 | Seek clarification from the National Guardians office re FTSU Strategy and policy | SF/AG | 31/10/18 | 30/11/18 | C | 31/10/18 | NGO confirm standalone FTSU strategy is not required. Trusts overall strategy should reference importance of feedback and speaking up. | |
| 2.5 | To provide clear references to speaking up and importance of staff feedback in corporate documents and policies, as appropriate. | KD | 31/10/18 | 31/06/19 | O | | FTSU has been referenced in HR policies, further engagement work as part of We Are Bradford and the quality strategy | |
| 2.6 | To link with HR Director in relation to how FTSU and staff engagement link together to learn from themes | KD | 31/10/18 | 31/12/18 | C | 31/01/19 | KD links with OD on monthly basis. OD are | Radiology investigation |

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| | and trends | | | | | | involved in actions emerging, | action plan |
|--|------------|--|--|--|--|--|-------------------------------|-------------|

| Objective | | 3 | To provide appropriate education and training for staff, managers and guardians | | | | | |
|------------------|--|-------------|--|-----------------------------|---------------|--------------------------|---|--|
| No | Action | Lead | Date Assigned | Scheduled completion | Status | Actual Completion | Comments | Evidence |
| 3.1 | The Associate Guardians should complete the NGO training day | SF/AG | 31/10/18 | 31/06/19 | O | | The NGO training is monthly in London. Regionally the training is provided every 6 months. | Currently all Associate Guardians trained and registered with NGO. Arrangements for training for new recruits in progress. |
| 3.2 | FTSU awareness sessions | SF/AG | 31/10/18 | 31/06/19 | O | | To develop an awareness package for staff and managers | Remains open due to ongoing development of awareness package |
| 3.3 | Cross learning with FTSU and HR Policies | KD | 31/10/18 | 30/11/18 | C | 28/11/18 | Regular meeting with Executive FTSU and HR Director. Lead HR manager identified to link with FTSU | Diaries |
| 3.4 | Provide training for Non-Executive Directors | SF/AG | 31/01/19 | 16/08/2019 | O | | Currently booked for session 16 th August 2019 | Diary via p.a. |