

## **NHS England and NHS Improvement Board meetings held in common**

<b>Paper Title:</b>	National Guardian's Office update and priorities for 2020/21
<b>Agenda item:</b>	6.1 (Public session)
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<b>Paper type:</b>	For noting

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### **Summary/recommendation:**

This note summarises progress made by the National Guardian's Office during the current financial year, and priorities for the next financial year. Board members are asked to note and comment on this paper.

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## **Background**

1. The National Guardian's Office (NGO) has been in operation since April 2016. The National Guardian produces an annual report, and reports to the Boards of its funding partners once a year. This year, in response to a recommendation in the Government Response to the Gosport Independent Panel report, the National Guardian will lay her annual report before Parliament. This paper summarises the progress the National Guardian's Office has made in 2019/20 and priorities for 2020/21.

## **Funding**

2. The NGO was originally funded by a three-way arrangement with CQC, NHS Improvement and NHS England, each contributing a third of its original budget of £1m. Whilst independent, the NGO has an operational arrangement with CQC and CQC recoups a proportion of the funding for services it provides to the NGO through a Service Level Agreement.
3. In 2018, NHS England agreed to increase its individual contribution to the NGO's budget for the 2019/20 financial year to £1m. This resulted in a total budget of £1.66m for 2019/20.

## **Progress during 2019/20**

The Freedom to Speak Up Guardian (FTSUG) network has continued to expand

4. **There are now over 500 trained FTSUGs** in the NGO's network and included on the published directory. The variety of organisations represented has also expanded with FTSUGs being appointed in:
  - All NHS Trusts and Foundation Trusts

- Primary care providers including GP practices and DMS
- Independent providers of healthcare including hospices and diagnostic services
- Arm's length bodies, national organisations and regulators
- Non-health sector bodies including education and financial services

The number of cases dealt with by FTSUGs has increased

5. **In Trusts and Foundation Trusts the number of cases dealt with by FTSUGs has increased by 73%** from 7,087 in 2017/18 to 12,244 in 2019/20. Some themes are consistent with around 4 in 10 cases being associated with bullying and harassment and 3 in 10 cases involving an element of patient safety. Worryingly the level of detriment perceived by workers who speak up to FTSUGs persists at 5% of cases. We are working closely with CQC to strengthen the Well Led inspection so that issues around detriment can be picked up at inspection, and will be working with FTSUGs over the coming year to understand more about the actions that are taken when detriment is reported.
6. We have introduced a process that enables organisations other than trusts and Foundation Trusts to submit data and some of these organisations are beginning to submit data for the NGO to publish.
7. A summary of information on cases reported to FTSUGs in 2018/19 can be found in NGO's recently published report (<https://t.co/ppEkdMrMoA>).

Implementation of the FTSUGs role continues to vary

8. How FTSUGs are appointed and the amount of ring-fenced time that FTSUGs are allocated varies and continues to be a source of disappointment – **many guardians still do not have any ring-fenced time** – we do not believe that this is acceptable.
9. The relationship between FTSUG perception of speaking up culture within their organisation and CQC rating appears to continue to hold – FTSUGs in organisations rated as 'outstanding' appear to rate their organisation's FTSU culture more positively than those in organisations with less positive ratings.
10. A report summarising the latest survey of FTSUGs, looking at how the role is implemented and perceptions of speaking up amongst FTSUGs, will be published shortly.

Work to support primary care providers has expanded

11. A number of Regional Liaison Leads (RLLs) have been appointed and are **working locally to support primary care providers to develop their approach to FTSU**, and look for opportunities to develop an integrated approach. A number of primary care 'vanguard' organisations have been

identified and supported to implement the FTSUG role and develop their FTSU policies and processes.

#### A new approach to case reviews

12. A new approach to case reviews has been implemented, to enable cases referred to be addressed in a number of ways. To date **7 case review reports have been published, resulting in a total of 95 recommendations**. Our expectation is that all organisations follow the joint guidance for Boards we have written with NHS Improvement and use the case reviews to conduct a 'gap analysis' to identify areas for improvement in their own speaking up cultures.

#### **Emerging priorities for 2020/21**

13. The NGO has identified a number of priority areas for the next financial year. These are set out in the **Annex**.

## National Guardian's Office priorities for 2020/21

Priority	Deliverables 2020/21
<b>Support for guardians</b>	<ul style="list-style-type: none"> <li>• Production of more guidance notes for FTSUGs, and an enhanced training offer</li> <li>• Development of an enhanced 'front-line' service taking over call management from CQC's National Contact Service Centre</li> <li>• Refresh of existing regional guardian networks</li> <li>• Development and coordination of sector-specific guardian networks including a network for hospices and NHS Trusts delivering primary care services</li> <li>• Development of a programme of work to support guardians in trusts with less positive speaking up culture e.g. those with low 'FTSU index' scores</li> </ul>
<b>Understanding impact</b>	<ul style="list-style-type: none"> <li>• Development of the Model Hospital to include indicators of "Culture and Engagement" to enable analysis of data sets around speaking up culture, including the next iteration of the 'FTSU index'</li> <li>• Expansion of the existing guardian survey, and development of other desktop research</li> <li>• Development of a programme of research, including academic evaluation, looking at impact and indicators of speaking up culture</li> </ul>
<b>Primary care and integration</b>	<ul style="list-style-type: none"> <li>• Deliver on Regional Integration Plans</li> <li>• Continue to expand the number and type of 'vanguard' organisations</li> <li>• Develop links and identify drivers for change in primary care at the national level</li> <li>• Development of sector-specific guidance</li> </ul>
<b>People</b>	<ul style="list-style-type: none"> <li>• Work with system partners to develop an accessible e-learning product to support NGO guidelines on training in speaking up for workers, managers and leaders</li> </ul>
<b>System</b>	<ul style="list-style-type: none"> <li>• Develop our understanding of cross-system drivers for change in speaking up culture</li> <li>• Work with partners to develop a joined-up approach to enable providers to meet NGO expectations in a practical and sustained way</li> <li>• Work with CQC to strengthen the speaking up elements of the Well Led inspection</li> </ul>