Bullying and Harassment

British Medical Association
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National Guardian for the NHS
@NatGuardianFTSU
▪ Origins of Freedom to Speak Up
▪ Role of Freedom to Speak Up Guardians
▪ Work of the National Guardian’s Office
  ▪ National leadership and challenge
  ▪ Publishing case reviews
  ▪ Leading the network of guardians
My organisation has a positive culture of speaking up

- **Outstanding**
- **Good**
- **Requires improvement**
- **Inadequate**
- **Not rated**
There are significant barriers to speaking up in my organisation
Managers support staff to speak up

% positive response

- Outstanding
- Good
- Requires improvement
- Inadequate
- Not rated
Senior leaders support staff to speak up

% positive response

- Outstanding
- Good
- Requires improvement
- Inadequate
- Not rated
People in my organisation do not suffer detriment as a result of speaking up

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<th>% positive response</th>
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Principles of the guardian role

**Fairness**
Freedom to Speak Up Guardians should be appointed in a fair and open way.

**Conflict**
Freedom to Speak Up Guardians should guard against potential conflicts caused by holding additional roles.

**Reach**
The Freedom to Speak Up message should reach everyone – developing a local network of ambassadors can help with this.

**Diversity**
All staff groups, especially the most vulnerable, need routes to enable them to speak up – staff networks can support this.

**Communication**
Freedom to Speak Up messages should be included in training and feedback on how it generates change should be disseminated regularly.

**Partnership**
Freedom to Speak Up Guardians need to forge strong partnerships with teams and individuals throughout their organisation.

**Leadership**
Leaders should demonstrate their commitment to Freedom to Speak Up and CEOs and NEDs should meet regularly with their Guardian.

**Openness**
Freedom to Speak Up Guardians should present regular reports to their Board, in person.

**Feedback**
Freedom to Speak Up Guardians should gather feedback on their performance.

**Time**
Freedom to Speak Up Guardians should have enough time and other resources to meet the needs of workers in their organisation.
Principles of guardian role

- Over half of respondents have no ring-fenced time

- With no ring-fenced time less likely to
  - Collect feedback on their performance
  - Have access to Chief Executive Officer or NED
  - Report to their Board in person
  - Attend Regional Meetings
  - Attend training
▪ Stanley Milgram - The Perils of Obedience
▪ Nurses case study – electric shocks
Competence vs conduct

- Competence:
  - Poor
  - Good

- Conduct:
  - Poor
  - Good
National Guardian’s Office

National Guardian for the NHS
Dr Henrietta Hughes

Freedom to Speak Up Guardians
Freedom to Speak Up Guardians help:

▪ Protect patient safety and quality of care
▪ Improve the experience of workers
▪ Promote learning and improvement

By ensuring that:

▪ Workers are supported in speaking up
▪ Barriers to speaking up are addressed
▪ A positive culture of speaking up is fostered
▪ Issues raised are used as opportunities for learning and improvement
The speaking up process

Confidentiality
Detriment

Communication

Knowledge
Information

Hierarchy
Systems
Processes
Policies

Examinig the facts

Reflecting and moving forward

Identifying that something might be wrong

Raising a concern

Outcomes and feedback

Investigations
Working in partnership
Freedom to Speak Up embedded:
- Recruitment/HR
- Board Reports
- Well Led Inspection
- Leadership Development
Training guardians
Leading a national network
Organisational development – Board guidance
Publish Guardian Directory and Data
Publish Case reviews & recommendations
Case reviews

- Individual cases
- Review of systems
- Make recommendations
- Support implementation
- Locally and nationally
Case review recommendations

- Hospital trusts
- Regulator (CQC) – Fit and Proper Persons
- Department of Health and Social Care – Timeliness and independence of investigations
- Law firm

Helps boards create a speaking up culture

A healthy speaking up culture is an indicator of a well-led trust

Develop a Freedom to Speak Up strategy
CQC inspections

- ‘Well Led’ domain
- Freedom to Speak Up Guardian interviewed
- How trusts support speaking up will affect the overall rating for Well Led
7,087 cases

45% include an element of bullying and harassment

32% include an element of patient safety

5% include perceived detriment

Based on data returns from NHS trusts and foundation trusts April ’17 – March ‘18
Case studies

What issues are being raised?

- Lives saved
- Human trafficking
- Junior doctor rota gaps
- Consent and dignity
- Recruitment process
Pan-sector network

ACAS, Army, aviation, banking, civil service, finance, police, regulators, retail, universities, UK sport

Learn and share best practice
Working in partnership
Alliance of Organisations

- Joint meeting with National Guardian’s Office and Royal College of Surgeons of Edinburgh
- recognise significance of bullying and harassment
- Growing alliance of Royal Colleges, BMA, NICE, Civility Saves Lives, Point of Care Foundation, DHSC, NHS Scotland, GMC, RCN, RCM and others
Next steps

- Primary care (GP, Dentist, Pharmacy, Opticians)
- Settlement agreements
- Conflict of interest policy
- Independent sector
- National adoption of recommendations
- Award – Supportive Staff Culture November 2018