



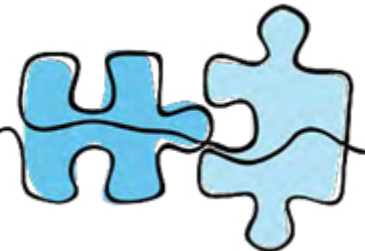
Doncaster and Bassetlaw
Teaching Hospitals
NHS Foundation Trust



Speaking Up policy

2024-2028

CORP/EMP 14 v.9



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Equality and Health Inequalities Statement

Promoting equality and addressing health inequalities are at the heart of NHS England's values. Throughout the development of the policies and processes cited in this document, we have:

- Given due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited under the Equality Act 2010) and those who do not share it; and
- Given regard to the need to reduce inequalities between patients in access to, and outcomes from healthcare services and to ensure services are provided in an integrated way where this might reduce health inequalities.

Speak up – we will listen

We welcome speaking up and we will listen. By speaking up at work you will be playing a vital role in helping us to keep improving our services for all patients and the working environment for our colleagues.

This policy is for all our workers. The [NHS People Promise](#) commits to ensuring that “we each have a voice that counts, that we all feel safe and confident to speak up, and take the time to really listen to understand the hopes and fears that lie behind the words”.

We want to hear about any concerns you have, whichever part of the organisation you work in. We know some groups in our workforce feel they are seldom heard

or are reluctant to speak up. You could be an agency worker, bank worker, locum or student. We also know that workers with disabilities, or from a minority ethnic background or the LGBTQ+ community do not always feel able to speak up.

This policy is for all workers and we want to hear all our workers’ concerns.

We ask all our workers to complete the [online training on speaking up](#). The online module on listening up is specifically for managers to complete and the module on following up is for senior leaders to complete.

You can find out more about what Speaking Up (FTSU) is in these [videos](#).

Many members of DBTH have pledged their support to Speaking Up, to view these pledges or to submit your own, please visit the [Speaking Up section on the Hive](#).

This policy

All NHS organisations and others providing NHS healthcare services in primary and secondary care in England are required to adopt this national policy as a minimum standard to help normalise speaking up for the benefit of patients and workers. Its aim is to ensure all matters raised are captured and considered appropriately.

What can I speak up about?

You can speak up about anything that gets in the way of patient care or affects your working life. That could be something which doesn’t feel right to you: for example, a way of working or a process that isn’t being followed; you feel you are being discriminated against; or you feel the behaviours of others is affecting your wellbeing, or that of your colleagues or patients.

Speaking up is about all of these things.

Speaking up, therefore, captures a range of issues, some of which may be appropriate for other existing processes (for example, HR or patient safety/ quality). [A list of all relevant local policies and processes can be found here](#). As an organisation, we will listen and work with you to identify the most appropriate way of responding to the issue you raise.



We want you to feel safe to speak up

Your speaking up to us is a gift because it helps us identify opportunities for improvement that we might not otherwise know about.

We will not tolerate anyone being prevented or deterred from speaking up or being mistreated because they have spoken up.

Who can speak up?

Anyone who works in NHS healthcare, including pharmacy, optometry and dentistry. This encompasses any healthcare professionals, non-clinical workers, receptionists, directors, managers, contractors, volunteers, students, trainees, junior doctors, locum, bank and agency workers, and former workers.

Who can I speak up to?

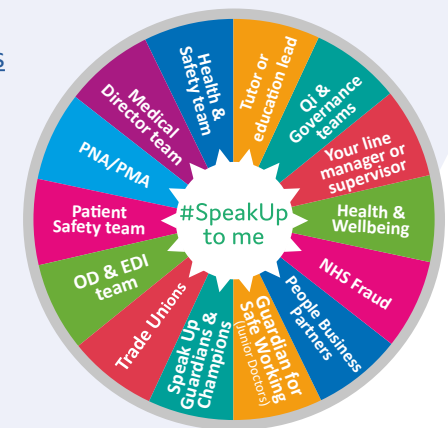
Speaking up internally

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. We strive for a culture where that is normal, everyday practice and encourage you to explore this option – it may well be the easiest and simplest way of resolving matters.

However, you have other options in terms of who you can speak up to, depending on what feels most appropriate to you and depending on the size of the organisation you work in (some of the options set out below will only be available in larger organisations).

- Senior manager, partner or director with responsibility for the subject matter you are speaking up about.
- The patient safety team or clinical governance team (where concerns relate to patient safety or wider quality).
- Local counter fraud team. Contact: nlg-tr.counterfraudplus@nhs.net
- Our Speaking Up Guardians can support you to speak up if you feel unable to do so by other routes. The guardians will ensure that people who speak up are thanked for doing so, that the issues they raise are responded to, and that the person speaking up receives feedback on the actions taken. You can [find out more about the guardian role here](#).
- Our HR team: dbth.hrservices@nhs.net A guide to HR services can be found in the [Who's who in P&OD page on the Hive](#).
- Our senior lead responsible for Speaking Up is the Chief People Officer and is responsible for ensuring our Speaking Up services are effective, accessible and well communicated to all colleagues, for supporting our Guardian and for overseeing activities to embed an inclusive and supportive Speaking Up culture.
- Our non-executive director responsible for Speaking Up provides a fresh pair of eyes to ensure that investigations are conducted with rigor and helps to escalate issues, where needed.

[More details of all speak up partners can be found on the Hive.](#)



Speaking up externally

If you do not want to speak up to someone within your organisation, including the guardians, you can speak up externally to:

- [Care Quality Commission \(CQC\)](#) for quality and safety concerns about the services it regulates – you can find out more about how the CQC handles concerns [here](#).
- [NHS England](#) for concerns about:
 - GP surgeries
 - dental practices
 - optometrists
 - pharmacies
 - how NHS trusts and foundation trusts are being run (this includes ambulance trusts and community and mental health trusts)
 - NHS procurement and patient choice
 - the national tariff.

NHS England may decide to investigate your concern themselves, ask your employer or another appropriate organisation to investigate (usually with their oversight) and/or use the information you provide to inform their oversight of the relevant organisation. The precise action they take will depend on the nature of your concern and how it relates to their various roles.

Please note that neither the Care Quality Commission nor NHS England can get involved in individual employment matters, such as a concern from an individual about feeling bullied.



#SpeakUp
to make a difference

"I support Speaking Up because I want all of our colleagues to feel listened to and be heard, and to be involved in making improvements at work."

Zoe Lintin, Chief People Officer

- [NHS Counter Fraud Authority](#) for concerns about fraud and corruption, using their [online reporting form](#) or calling their freephone line 0800 028 4060.

If you would like to speak up about the conduct of a member of staff, you can do this by contacting the relevant professional body such as the General Medical Council, Nursing and Midwifery Council, Health & Care Professions Council, General Dental Council, General Optical Council or General Pharmaceutical Council.

Appendix B contains information about making a 'protected disclosure'.



How should I speak up?

You can speak up to any of the people or organisations listed above in person, by phone or in writing (including email).

Confidentiality

The most important aspect of your speaking up is the information you can provide, not your identity.

You have a choice about how you speak up:

- **Openly:** you are happy that the person you speak up to knows your identity and that they can share this with anyone else involved in responding.
- **Confidentially:** you are happy to reveal your identity to the person you choose to speak up to on the condition that they will not share this without your consent.
- **Anonymously:** you do not want to reveal your identity to anyone. This can make it difficult for others to ask you for further information about the matter and may make it more complicated to act to resolve the issue. It also means that you might not be able to access any extra support you need and receive any feedback on the outcome.

In all circumstances, please be ready to explain as fully as you can the information and circumstances that prompted you to speak up.

Advice and support

You can find out about the local support available to you on the [Speaking Up section on the Hive](#). Your local staff networks can be a valuable source of support.

You can access a range of health and wellbeing support via NHS England:

- [Support available for our NHS people](#).
- [Looking after you: confidential coaching and support for the primary care workforce](#).

NHS England has a [Speak Up Support Scheme](#) that you can apply to for support. You can also contact the following organisations:

- [Speak Up Direct](#) provides free, independent, confidential advice on the speaking up process.
- The charity [Protect](#) provides confidential and legal advice on speaking up.
- The [Trades Union Congress](#) provides information on how to join a trade union.
- [The Law Society](#) may be able to point you to other sources of advice and support.
- [The Advisory, Conciliation and Arbitration Service](#) gives advice and assistance, including on early conciliation regarding employment disputes.



What will we do?

The matter you are speaking up about may be best considered under a specific existing policy/process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you. If you speak up about something that does not fall into an HR or patient safety incident process, this policy ensures that the matter is still addressed.

What you can expect to happen after speaking up is shown in Appendix B

Resolution and investigation

We support our managers/supervisors to listen to the issue you raise and take action to resolve it wherever possible. In most cases, it's important that this opportunity is fully explored, which may be with facilitated conversations and/or mediation.

Where an investigation is needed, this will be objective and conducted by someone who is suitably independent (this might be someone outside your organisation or from a different part of the organisation) and trained in investigations. It will reach a conclusion within a reasonable timescale (which we will notify you of), and a report will be produced that identifies any issues to prevent problems recurring.

Any employment issues that have implications for you/your capability or conduct identified during the investigation will be considered separately.

Communicating with you

We will treat you with respect at all times and will thank you for speaking up. We will discuss the issues with you to ensure we understand exactly what you are worried about. If we decide to investigate, we will tell you how long we expect the investigation to take and agree with you how to keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others and recognising that some matters may be strictly confidential; as such it may be that we cannot even share the outcome with you).

How we learn from your speaking up

We want speaking up to improve the services we provide for patients and the environment our colleagues work in. Where it identifies improvements that can be made, we will ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Review

We will seek feedback from workers about their experience of speaking up. We will review the effectiveness of this policy and our local process annually, with the outcome published and changes made as appropriate.

Senior leaders' oversight

Our most senior leaders will receive a report at least annually providing a thematic overview of speaking up by our colleagues to our FTSU guardians.



Appendix A:



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Speaking up

Identifying that something may be wrong

1 Service user, patient or carer:

We have specialist teams able to support you with your concern. Please contact the Patient Advice and Liaison Service (PALS) on 0800 028 8059

Employee:

If you are a current or former employee, volunteer or student, please follow the path.

2 What can I 'Speak Up' about?

You can raise a concern about anything you are worried about in terms of patient care or colleague wellbeing. Please do not wait for proof about your concern, we are here to explore any risk and, where possible, prevent harm occurring.

3 Who can I 'Speak Up' to?

Speaking up is important for patient safety and colleague wellbeing. All teams and leaders at DBTH are able to support concerns. The first route to raise your concern with is your line manager, clinical lead or supervisor.

If your concern is in relation to fraud, bribery or corruption you need to report this directly to the Trust's Counter Fraud Specialist in line with the Trust's Counter Fraud, Bribery and Corruption Policy.

Where you don't think it's appropriate to do this, there are a number of other people you can speak to who can help you. See the #Speak Up to me below. If you wish to receive support from one of the Speak Up Partners below, please continue to follow the path.



6 What happens next

- ✔ You will be thanked for raising your concerns.
- ✔ Wellbeing support will be offered to you.
- ✔ We will listen, to learn and ask questions so we understand how best to support you.
- ✔ We will make a confidential record of your concerns.
- ✔ We will work with you to try to resolve your concerns quickly. We have trained mediators, coaches and restorative practitioners if support is needed.
- ✔ When facts are established, learning and appropriate actions will be identified. This may or may not include investigation and or liaison with another Speak Up Partner (e.g. patient safety).
- ✔ If an investigation or liaison is needed, we will ask you for consent to share the information you have provided.
- ✔ If escalation is required, the FTSU Guardian will liaise with the Executive Lead for Speaking Up to ensure that the formal escalation process is followed. Please see the Speak Up Policy and process for further details.

7 Outcome and Feedback

Feedback is provided to all who 'speak up' about what we have found when exploring the concern. If your feedback relates to another colleague, we will not be able to provide full details of actions taken due to confidentiality purposes; however we will be able to assure you that Trust processes and procedures have been followed, and also explain any learning and service improvements made due to the concern you have raised.

8 Reflecting and moving on

At DBTH we are committed to learning lessons, to improve patient care and colleague wellbeing. At the point where we agree together that your concern can be closed, we will discuss how the learning from the concern will be shared.

The learning may be very specific to the area in which you work. It may also be that there is learning that will support safety and wellbeing throughout the Trust. Where there is wider learning we will protect your identity or you will be supported to share your experience if you choose to.

5 Will I be anonymous?

You can raise your concerns anonymously and your concerns are kept confidential. However, concerns around patient and colleague safety may need to be shared but this will be discussed with you. Please ask if you are concerned, or see our Speaking Up Policy.

4 How can I Speak Up?

Speak to your line manager, supervisor or Speak Up partner. In addition, you can call the Speaking Up Helpline: 01302 644300 or email in confidence: dbth.guardian@nhs.net

Further contacts can be found here



[The full Speaking Up process at DBTH can be found here](#)

Appendix B:

Making a protected disclosure

Making a 'protected disclosure'

A protected disclosure is defined in the Public Interest Disclosure Act 1998. This legislation allows certain categories of worker to lodge a claim for compensation with an employment tribunal if they suffer as a result of speaking up. The legislation is complex and to qualify for protection under it, very specific criteria must be met in relation to who is speaking up, about what and to whom. To help you consider whether you might meet these criteria, please seek independent advice from the [Protect](#) or a legal representative.

