



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



Meeting Date	12 October 2021	Agenda Item	2.1
Report Title	A Deep Dive into Staff opportunities to speak up using the Guardian Service Ltd.		
Report Author	Julie Lloyd, OD & Staff Experience Manager		
Report Sponsor	Debbie Eyitayo , Interim Director of Workforce & OD		
Presented by	Julie Lloyd, OD & Staff Experience Manager		
Freedom of Information	Open		
Purpose of the Report	The purpose of this paper is to provide a deep dive into staff opportunities to speak up using the Guardian Service Ltd. It details activity and outcomes since the service was launched in May 2019 and outlining next steps in maximising the benefits for SBUHB.		
Key Issues	<p>There is significant research, which confirms that a positive staff experience in Health Care links to positive outcomes and experience for our patients. Staff being able to raise concerns in a confidential and safe way is an important part of enabling staff to feel happy and engaged in work, supports staff retention and will help us to keep improving our services to patients and the working environment for our staff. This could not be more prevalent in the current climate of an on-going pandemic and the need to progress organisational recovery and sustainability.</p> <p>The Guardian Service has been available as an additional way for staff, students and volunteers to raise work-related concerns independently, anonymously and 24/7 within SBUHB since May 2019.</p> <p>In considering our experience of the Guardian Service Ltd to date, the following points should be noted as key deliverables/outcomes:</p> <ul style="list-style-type: none"> • Provision of an independent, safe, confidential bilingual service for staff, volunteers and students to raise any work-related concerns • Available 24/7, 365 days a year - majority of contacts are reported to want to meet outside of work hours • As a Health Board, we listened to staff and delivered what they asked for • The number of staff raising concerns and speaking up has significantly increased (from the former 		

	<p>internal process – only 5 concerns raised between November 2018 and May 2019)</p> <ul style="list-style-type: none"> • Progress towards our aim of creating a culture of openness and honesty, with 73.33% of contacts wanting to keep their concern confidential within the remit of the Guardian Service (an improvement of 21.3% since the service was launched) • Number of concerns raised aligned to the 100 projected for the size of the organisation (91 by the end of the 12 months). See Table 1 below for a comparison of activity by financial year to date, which shows the service is continuing to be accessed at a similar level to the first 12 months. • 192 staff listened to/spoken up and or sign posted in confidence (to date – August 2021) • 140 concerns resolved/closed (73% of total concerns raised to date – August 2021) • Provides an infrastructure to support and deliver the All Wales ‘Procedure for NHS Staff to Raise Concerns’ and the expectation to improve raising concerns across NHS Wales by Welsh Government • Compliant with the Welsh Active Offer with the service now available to contacts in Welsh. • The service is positively received by those contacts completing the anonymous feedback forms after using the service and raising a concern. <p>Appendix 1 provides the latest cumulative activity report from the Guardian Service for August 2021 and appendix 2 provides a copy of their anonymous User Feedback Report.</p>			
<p>Specific Action Required <i>(please choose one only)</i></p>	<p>Information</p>	<p>Discussion</p>	<p>Assurance</p>	<p>Approval</p>
<p>Recommendations</p>	<p>Members are asked to:</p> <ul style="list-style-type: none"> • Take assurance that on-going feedback from staff relating to bullying continues to be listened to, through the continuation of the Guardian Service. • Note the contract extension until November 2022 in continuing to support staff during these adverse times and in line with the All Wales focus around raising concerns. • Note the outcomes of the service since its launch and next steps in maximising the benefits for SBUHB. 			
<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>

A Deep Dive into Staff opportunities to speak up using the Guardian Service Ltd.

1. INTRODUCTION

The purpose of this paper is to provide a deep dive into staff opportunities to speak up using the Guardian Service Ltd, detailing activity and outcomes since the service was launched in May 2019 and outlining next steps in maximising the benefits for SBUHB.

2. BACKGROUND

2.1 Why the Guardian Service Ltd? – Strategic Context

There is significant research which confirms that a positive staff experience in Health Care links to positive outcomes and experience for our patients. Staff being able to raise concerns in a confidential and safe way is an important part of enabling staff to feel happy and engaged in work and will help us to keep improving our services to patients and the working environment for our staff. This could not be more prevalent in the current climate of an on-going pandemic and the need to progress organisational recovery and sustainability.

Prior to the Guardian Service being commissioned, there was evidence of the clear need to focus on addressing Bullying within ABMU (our predecessor organisation) at that time, in line with improving the experience and wellbeing of our staff and ultimately leading to better patient experience and outcomes. Evidence to support the need to address it included the tragic outcome of an inquest at the time, into the suicide of one of our staff. It was also the significant volume of responses to both the Chief Executive and Director of Workforce & OD's intranet blogs and the volume of e-mails of this nature sent direct to them both, as well as issues reported via Partnership Forum and e-mails received via the Raising Concerns Inbox, previously monitored by the OD & Staff Experience Team.

The results of the NHS Wales Staff Survey 2018 provided an additional confirmation of the need for us to address bullying within the organisation, with 20% of respondents confirming that they had experienced harassment, bullying or abuse at work from their manager/team leader or other colleagues (an increase of 4% since 2016). Whilst this increase was reported across NHS Wales, we were reporting higher than the national overall score of 18%. Reviewing the qualitative comments that accompanied the staff survey results, of 959 comments and feedback provided in the free-text section, 59 (6% of the overall qualitative data) referred specifically to the term 'bullying' at work from manager/team leader or colleagues.

Subsequent blogs issued by the Chief Executive and Director of Workforce & OD at that time resulted in numerous comments from staff around the need to take action which will enable staff to speak up in a confidential way and the importance of resolution. This resulted in useful data which shaped and informed the organisation's thinking about what was important to staff. In listening to staff feedback, important features of a raising concerns service included impartiality, independence, accessibility and responsiveness. With only 22% of Staff Survey respondents in the

Health Board believing that the organisation would take action, the Executive Team were fully committed to taking action to support staff and act on their feedback.

We sought experience and best practice in NHS England where **Freedom to Speak up** is mandated. This enabled us to design the service specification and test the market for a provider via the tender process. In response to the tender submission process, a multi-disciplinary panel, including Board trade union representation, awarded the contract to **The Guardian Service Ltd**. The contract was awarded initially as a one year pilot and the service was launched on **13th May 2019** for Bae Abertawe / Swansea Bay Health Board. The Guardian service has since been available to staff, students and volunteers as an additional way to raise work-related concerns independently, anonymously and 24/7, 365 days a year.

In addition, the commissioning of The Guardian Service was part of an overarching a suite of initiatives and the #ShapingSBUHB movement, aimed to support cultural change. This has included the commissioning of ACAS to run workshops for managers, HR and Trade Unions in addressing inappropriate behaviours at work, including bullying, extending our offering of behaviour based Leadership Development Programmes, appointment of an HR investigations team, investment in operational HR teams and processes and the launch of the #LivingOurValues campaign.

2.2 Current Context

When the results of the 2020 NHS Wales Staff Survey were published in December 2020, the Minister for Social and Health Services, stated in his press release:

“I am reassured that work is happening both across NHS Wales, in social partnership through the Welsh Partnership Forum and within organisations to create more compassionate leadership, collaborative relationships and to recognise the importance of listening and talking to each other in order to encourage Healthy Working Relationships, as summarised in the recently published Workforce Strategy.”

It was reported that considerably less people said that they had experienced bullying, harassment or abuse by their manager, another colleague or member of the public, however the bullying question was asked differently in 2020 from that in the 2018 survey and so a comparison or improvement was therefore difficult to evidence. For Swansea Bay UHB (much as there is across NHS Wales) there is still the need to focus on Healthier Working Relationships and improving behaviours and culture across the organisation, which was highlighted through the survey responses from those who said they had experienced bullying, harassment and abuse from:

- their manager - **9.1%**
- another colleague - **16.2%**
- a member of the public – **14.8%**

The original contract of 12-months was due to come to an end at the height of first wave of the pandemic in May 2020 and so a decision had to be taken to extend for 6-months until November 2020 to ensure staff and volunteers continued to be supported

during the adverse circumstances presented by the COVID-19 crisis. A multidisciplinary tendering panel, including Trade Union Partners had been held prior to the pandemic, which then enabled the contract to be re-issued in November 2020 on a 1+1 basis, meaning the contract will now run until November 2022.

2.3 Evaluating the Service

Monitoring and evaluation of the service has been in place since the service was launched through monthly meetings with the Guardians and Director of Workforce & OD as the Executive Sponsor and 8-weekly meetings with the Chair and the Non-Executive Sponsor. The Guardian Service also produce monthly anonymous activity reports outlining concerns raised by theme, staff group and Service Group or Directorate enabling trends and hotspots to be identified and action to be taken where appropriate. See appendix 1 for the latest cumulative report. In considering our experience of the Guardian Service Ltd to date, the following points should be noted as key deliverables/outcomes:

- Provision of an independent, safe, confidential service for staff, volunteers and students to raise any work-related concerns
- Available **24/7, 365 days** a year - majority of contacts are reported to want to meet outside of work hours
- As a Health Board, we **listened** to staff and **delivered** what they asked for
- The number of staff raising concerns and speaking up has significantly **increased** (from the former internal process – only **5** concerns raised between November 2018 and May 2019)
- Progress towards our aim of creating a culture of openness and honesty, with **73.33%** of contacts wanting to keep their concern confidential within the remit of the Guardian Service (an **improvement of 21.3%** since the service was launched)
- Number of concerns raised aligned to the 100 projected for the size of the organisation (**91** by the end of the 12 months). See Table 1 below for a comparison of activity by financial year to date, which shows the service is continuing to be accessed at a similar level to the first 12 months.
- **192 staff** listened to/spoken up and or sign posted in confidence (to date – August 2021)
- **140 concerns resolved/closed** (73% of total concerns raised to date – August 2021)
- Provides an infrastructure to support and deliver the All Wales **‘Procedure for NHS Staff to Raise Concerns’** and the expectation to improve raising concerns across NHS Wales by Welsh Government

- Compliant with the Welsh Active Offer with the service now available to contacts in Welsh.
- The service is positively received by those contacts completing the anonymous feedback forms after using the service and raising a concern. Appendix 2 provides a copy of the Guardian Service User Feedback Report.

Table 1.

Month	Contacts per month 2019	Contacts per month 2020	Contacts per month 2021
May	2	5	10
June	7	8	5
July	6	4	5
August	10	10	5
Total for period	25	27	25

2.3.1 Targeting hotspots with Guardian Service Data

Links to Patient Experience

As mentioned earlier in the paper, there is significant research which confirms that a positive staff experience in Health Care links to positive outcomes and experience for our patients. In addition to data triangulation that has been collated and compared across key Workforce indicators, the following provides a breakdown by Service Group, NHS Wales Staff Survey Results for those saying they had experienced bullying, harassment or abuse from their line manager or colleague (as a collective percentage), Guardian Service Concerns (raised between April 2021 and August 2021) and a comparison with poor patient experience in the Friends & Family data (for August and July 2021).

Table 2 – Percentage confirming bullying (NHS Wales Staff Survey 2020), number of Guardian Service concerns and comparison with a poor patient experience (August and July 2021) by Service Group

Service Group	*% Respondents confirming they have experienced harassment, bullying or abuse at work from their manager/team leader or colleague	Number of Patients/Families completing the Friends and Family Survey (During July and August 2021)	**Percentage of patients rating their overall experience as poor (During July and August 2021)	Guardian Service concerns (April to August 2021)
Mental Health & Learning Disabilities	31.3%	9	22.2%	3
Morrison	32.8%	1,467	7.7%	10
NPTH & Singleton	46.4%	2,298	8.8%	8
Primary and Community Services	22.1%	383	13.4%	1

NB *There are Corporate Directorates that reported high percentages against the bullying question and have Guardian Service concerns raised that have not been included here, but are also areas to be addressed.

**Whilst the Patient Feedback Reports from the new system, Civica, drill down to departments, both the Guardian Service and the 2020 NHS Staff Survey do not, so there is difficulty in accurately triangulating the data to identify hotspots.

Percentages of poor patient feedback are impacted by the number completing the friends and family test overall.

Using all of the data available and that we have been able to triangulate, we will be able to target communication and promotion of the Guardian Service to hotspot areas, along with further promotion of wellbeing support and leadership development programmes.

2.4 Next Steps

Following presenting the latest Guardian Service Activity Report for April 2021 to August 2021 to Executive Team, the following outline the actions requested in order to maximise the benefits of the service for SBUHB.

1. Enhance Communication and Promotion of the Service

The Raising Concern Guardians ceased conducting promotional visits onsite and followed Government guidelines to work from home at the start of the pandemic. Virtual drop-in sessions have been arranged via MS Teams to run from March to

October 2021 to replace the onsite promotional visits along with the offer of virtual presentations for teams and departments. There have been **43 virtual drop-in** sessions that have run so far (including evenings and weekends) which have been well received and have resulted in **27 contacts/concerns** raised.

In addition, **31** communications/promotional activities have been held between 1st April 2021 and 31st August 2021 overall. The Guardian Service is promoted via Virtual Induction for new starters, via Wellbeing, periodically via the quarterly Staff Experience e-Newsletter, ESR, Datix and via campaigns such as Adult Learners Week and Anti-bullying Week. However, to further enhance this, the operational lead is to work with the Interim Director or Communications to take this action forward, making connections with the data triangulation detailed above.

2. Duty of Candour

In line with the recent change in legislation, the operational lead is to meet with the Executive Director of Nursing to ensure Swansea Bay UHB is compliant with the Duty of Candour in the operation of the Guardian Service.

3. Visible Leadership and Internal Communications

Whilst the guardians have been complimentary on the responsiveness of our managers when taking a concern to them, concerns were raised by Executive Team on hearing from the most recent Guardian Service Report and discussing the reason that staff use the service. March 2021's report highlighted the main reason was due to staff believing that they won't be listened to (43.94%). August's report however, highlights the main reason for using the service is due to staff feeling they *have* raised the concern through other Health Board channels, but have not been listened to / nothing has been done (53.33%). As a result an action was raised around the need to focus on visible leadership and internal communications.

4. Commercial Connection

In order that we can benefit from economies of scale, it was requested that the operational lead look into working with other Health Boards to establish joint contracts with the Guardian Service.

Executive Team were informed that subgroup of Welsh Partnership forum had recently been set up to discuss and develop proposals for an All Wales approach to Raising Concerns. The sub-group consists of Trade Union leads and nominated Workforce & OD representative leads from organisations across NHS Wales, including Swansea Bay UHB.

The focus of the group will be to further enhance and support delivery of the 'All Wales Procedure for NHS Staff Raising Concerns' and to consider the research and recommendations undertaken by Professor Aled Jones of Cardiff University in relation to Freedom to Speak Up in NHS England, which will inform the direction in Wales. Recent publicity and concerns raised from the BMA in relation to bullying has shone a spotlight on raising concerns and the requirement for pace in respect of this work. It should be noted that the BMA themselves have commissioned the Guardian Service Ltd. Developments and outcomes will be shared, as the work of this group progresses.

5. Partnership Working

The question was raised as to the current position of Trade Union Partners in respect of the Guardian Service. The Interim Director of Workforce & OD confirmed the need to ensure it is understood that the services are different and that both have a place in supporting in different ways and for different reasons. A special forum is to be arranged to discuss the matter further.

3 GOVERNANCE AND RISK ISSUES

- As we remain the first Health Board in Wales to take forward the service, we can only refer to colleagues and Trusts in England that have taken it forward and use it to learn lessons as we continue to test and evaluate the service.
- There is still the need to manage perception around the service and educate managers and staff about the service to be clear that this is an additional avenue for staff to reach out in confidence and that it does not replace manager's managing staff, trade union support, HR processes, Chaplaincy or wellbeing support available.
- As we continue to taken a multi-faceted, multi-levelled approach as part of the Healthy Working Relationships agenda and a Just Culture to support a culture of openness, honesty and trust, it is difficult to fully evaluate the benefits of The Guardian Service and are unable to attribute improvements against Workforce KPI's purely to the Guardian Service.
- Whilst there may have been a reduction in the number of formal Employee Relations cases, the introduction of the Guardian Service has resulted in further enquiries and investigations for operational HR colleagues to respond to, raised at an earlier stage in the process.
- The work and outcomes of the Welsh Partnership Forum Sub-Group will determine elements of the direction around raising concerns across NHS Wales.

4 RECOMMENDATION

Members are asked to:

- Take assurance that on-going feedback from staff relating to bullying continues to be listened to, through the continuation of the Guardian Service.
- Note the contract extension until November 2022 in continuing to support staff during these adverse times and in line with the All Wales focus around raising concerns.
- Note the outcomes of the service since its launch and next steps in maximising the benefits for SBUHB.

Governance and Assurance		
Link to Enabling Objectives <i>(please choose)</i>	Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	Deliver better care through excellent health and care services achieving the outcomes that matter most to people	
	Best Value Outcomes and High Quality Care	<input type="checkbox"/>
	Partnerships for Care	<input type="checkbox"/>
	Excellent Staff	<input checked="" type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
Outstanding Research, Innovation, Education and Learning	<input type="checkbox"/>	
Health and Care Standards		
<i>(please choose)</i>	Staying Healthy	<input type="checkbox"/>
	Safe Care	<input type="checkbox"/>
	Effective Care	<input type="checkbox"/>
	Dignified Care	<input type="checkbox"/>
	Timely Care	<input type="checkbox"/>
	Individual Care	<input type="checkbox"/>
	Staff and Resources	<input checked="" type="checkbox"/>
Quality, Safety and Patient Experience		
<p>The Guardian Service aims to improve staff experience through helping to create a culture of openness and honesty and demonstrate we are listening by responding to what staff asked for. The direct correlation between patient experience and staff experience is well documented.</p> <p>The previous Raising concerns process with no dedicated pathway or infrastructure to support staff creates risk to staff, patients and the wider organisation.</p>		
Legal Implications (including equality and diversity assessment)		
<p>It is important to consider the internal policies and the legislation which are linked to the provision of a confidential, safe and effective pathway and process for staff to raise concerns.</p> <p>Internal policies include but are not limited to –</p> <ul style="list-style-type: none"> -Grievance Policy -Disciplinary Policy -Dignity at Work Policy -Raising Concerns Policy <p>Public Interest Disclosure Act 1998</p> <p>If workers bring information about a wrongdoing to the attention of their employers or a relevant organisation, they are protected in certain circumstances under the Public Interest Disclosure Act 1998. This is commonly referred to as 'blowing the whistle'. The law that protects whistle-blowers is for the public interest - so people can speak out if they find malpractice in an organisation. Blowing the whistle is more formally known as 'making a disclosure in the public interest'.</p>		

Staffing Implications	
<p>Consideration continues to need to be given for the time and resource required for roll-out of the Guardian service and continued education and collaboration with stakeholders i.e. Union representatives, HR, Staff Experience Team, Wellbeing, Communications, Patient Feedback Team and PALS, Executive and Non-Executive Lead.</p>	
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)	
<p>Briefly identify how the paper will have an impact of the “The Well-being of Future Generations (Wales) Act 2015”, 5 ways of working.</p> <p>The paper impacts on the Well-being of Future Generations (Wales) Act 2015 as it will impact on the long-term culture and behaviours of the organisation and its staff now and in the future. It aims to support staff, through working together to improve staff wellbeing and improve the quality of patient care and outcomes through early intervention and nipping concerns in the bud before they escalate.</p>	
Report History	<ul style="list-style-type: none"> • Presented to Partnership Forum, 18th March 2019 - Addressing concerns around bullying in ABMU – Freedom to Speak up Service & ACAS Training • Presented to Executive Team, 3rd April 2019 - Enhanced Raising Concerns – Appointment of The Guardian Service Ltd • Presented to Partnership Forum, 3rd June 2019 - #LivingOurValues campaign • Presented to Audit Committee – 15th July 2019 – Raising Concerns Report • Presentation from The Guardian Service Lt, Dr Simon McRory, Founder/Director - 16th July 2019, Special Partnership Forum • Presented to Partnership Forum, 24th September 2019 - #LivingOurValues & Guardian Service Up-date • Presented to Senior Leadership Team, 2nd October 2019 - #LivingOurValues & Guardian Service Up-date • Presented to Local Negotiating Committee, 7th November 2019 – Guardian Service Up-date & #LivingOurValues • Presented to WOD Forum, 14th November 2019 - Guardian Service up-date & #LivingOurValues • Presented to Audit Committee, 21st November 2019, Guardian Service & #ShapingSBUHB • Presented to Senior Leadership Team, 4th December 2019 – Retendering of an independent service for Staff to Raise Work-related Concerns • Presented to IBG, 19th December 2019 - Retendering of an independent service for Staff to Raise Work-related Concerns

	<ul style="list-style-type: none"> • Presented to Partnership Forum, 13th March 2020 - #LivingOurValues & The Guardian Service Up-date • Presented to Partnership Forum, 22nd October 2020 - The Guardian Service Ltd. End of Year Report • Presented to SLT, 4th November 2020 – The Guardian Service Ltd. End of Year Report and Decision to Contract • Presented to Audit Committee, 12th November 2020 – The Guardian Service Ltd. End of Year Report • Presented to Full Board, 26th November 2020 - The Guardian Service Ltd. End of Year Report • Presented to Executive Board, 28th April 2021 – The Guardian Service Ltd End of Year Report • Presented to LNC, 18th May 2021 – The Guardian Service Ltd End of Year Report • Presented to Quality & Safety Committee, 25th May 2021 – The Guardian Service Ltd End of Year Report • Presented to WOD Committee, 15th June 2021 - The Guardian Service Ltd End of Year Report • Presented to Executive Team, 22nd September 2021 - The Guardian Service Ltd. Up-date Report – 1st April 2021 to 31st August 2021
Appendices	1, 2