

## **Freedom to Speak up Review**

Chartered Society of Physiotherapy  
Consultation response

### **Online response submitted 10 September 2014**

The Chartered Society of Physiotherapy (CSP) is the professional, educational and trade union body for the UK's 51,000 chartered physiotherapists, physiotherapy students and support workers.

The CSP welcomes the opportunity to respond to the consultation on Freedom to Speak Up Review. Our response is focussed on the areas in which we feel we can most effectively contribute to the debate. We would be pleased to supply additional information on any of the points raised in our response at a later stage.

#### **1. Please describe your experience of the procedures and culture to support workers raising concerns in the NHS**

1.1 Our response focuses on how we think arrangements should be strengthened.

#### **2. What in your experience was the key to successful reporting and raising of concerns?**

- 2.1 In our experience there needs to be greater clarity about the nature of whistleblowing; making a disclosure in the public interest clearly needs to be presented as the necessary recourse if other channels for raising concerns have not been effective. It is imperative that staff are enabled to understand the particular nature and significance of whistleblowing, as a last resort, and at one end of the 'spectrum' of raising concerns.
- 2.2 As reflected in the questions within this consultation, there needs to be a strong focus on creating organisational cultures that encourage and support staff to raise concerns, such that the need for recourse to whistleblowing is minimised.
- 2.3 We see the development and nurturing of organisational cultures of learning, openness and transparency as imperative for ensuring that staff feel able to raise concerns and can have the confidence that their concerns will be listened to, addressed and learned from. Initiatives and approaches that enable and sustain staff engagement are also essential for creating positive environments in which staff feel able to raise concerns without impunity.
- 2.4 These approaches seem the most promising way of seeking to ensure that all patients receive high-quality, compassionate care, and that individual staff and teams are enabled, supported and confident about highlighting concerns and that their concerns will be listened to and addressed. Such an approach is likely to have a more fundamental and sustained impact on the quality of patient care than the

need for the escalation of concerns; recourse to whistleblowing should only form a route (within which staff are supported) when all other routes have failed.

- 2.5 We have permission from Worcestershire Health & Care NHS Trust to highlight the good practice that it has put in place in these areas. Key steps are outlined in the summary below.
- 2.6 The Worcestershire Health and Care Trust has taken a number of very positive steps to improve staff engagement and develop an open culture where staff are enabled in a variety of ways to raise any concerns:
- The Director of Operations holds monthly drop-in sessions around the county where staff are invited to raise any issue.
  - All staff are invited to focus groups to talk about the top four issues raised from last year's staff survey.
  - A new "Raising Concerns" policy which is more user friendly than the old Whistle-blowing policy.
  - Posters displayed on notice boards and promoted via the intranet about raising concerns.
  - Staff representation within the 'Safer Staffing' working group.
  - The CEO regularly spends time with different teams and reports on it in her weekly bulletin to all staff or via tweets.
  - Board members regularly spend time with staff and go out with them on visits.
  - Non-executive directors do patient safety walk-about.
  - Staff side has a seat on the FT programme board.
  - Staff side officers have regular meetings with CEO, Director of Operations and HR Director to raise and discuss concerns.

### 3. Please share your views and ideas on what would help to create an open and honest reporting culture in the NHS

- 3.1 As reflected in our response to question 2, we see ensuring patient interests are upheld and good-quality patient care fits strongly with ensuring strong member engagement within all service delivery organisations. This includes ensuring that the well-being of staff (both individually and as teams) is upheld. This includes in the ways outlined below.
- 3.2 Through organisational cultures being nurtured such that there is an openness about learning lessons when things go wrong, with staff feeling comfortable and that they have the capacity (time) to raise concerns, and with a focus on continuous improvement in all aspects of patient care (in the interests of current and future service users), recognising the potential challenges to achieving this that may be created by increasing financial constraint and pressured work environments
- 3.3 That structures and processes (including at board level) are integrated into organisations' ways of working such that there are easy-to-use, accessible ways for staff to raise concerns, with the confidence that their concerns will be listened to and addressed appropriately, and that these systems and processes are kept under careful review.

- 3.4 We suggest that this could potentially happen through a named non-executive director taking a lead role in doing this. Such a role should have responsibility for patient satisfaction and staff engagement.
- 3.5 That strengthened arrangements for organisational regulation actively seek information about service providers' systems and processes for managing concerns and ensuring the development and maintenance of a supportive, learning culture (inclusive of all staff at all levels), and with regulators needing to seek evidence of how the need for change is identified and how agreed changes are implemented and evaluated
- 3.6 That organisations give careful consideration to how staff are supported in raising concerns; this needs to include staff having access to appropriate learning and development opportunities and their having clarity about their responsibilities for raising concerns and for pursuing concerns if they feel that earlier action has failed to trigger appropriate organisational responses.

#### 4. Any other comments

- 4.1 In rare cases the CSP believes representative bodies need to be able to raise concerns on behalf of their members. This is in line with the recommendation from the original Francis Review that regulators should be able to pursue cases on the basis of hearsay evidence.

Sally Gosling  
CSP Assistant Director of Practice and Development  
10 September 2014

- ends -