

Freedom to Speak Up Policy

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1. Introduction

Holy Cross Hospital is committed to fostering a culture of openness and transparency where all Caregivers, volunteers, patients, and stakeholders feel empowered to raise concerns without fear of retaliation. This policy supports the right of individuals to speak up about any issues, concerns, or potential risks that may affect the safety, quality of care, or wellbeing of patients, staff, or the organisation as a whole. At Holy Cross, we uphold a culture of speaking up in order to facilitate continuous improvement and a safer, more effective healthcare environment. This policy will be reviewed every two years.

2. Purpose

This is a policy to help normalise speaking up within the Holy Cross Hospital by providing a safe and supportive environment for individuals to express concerns. It encourages timely reporting of any unethical, unsafe, or unlawful activities or practices to prevent the occurrence of risks to patient care, staff safety, and the organization's operational integrity.

Sometimes a Caregiver believes they are speaking up when, in fact, their complaint is a personal grievance. Caregivers who raise a concern under the Freedom to Speak Up Policy should believe that they are acting in the public interest.

The Freedom to Speak Up Policy is not for people with concerns about their employment that affect only them. That type of concern is better suited to be raised in the first instance with your line manager. If the Caregiver believes their concern has not been addressed, then it can be raised with the HR Team

3. Objectives

The objective of this policy is to:

- Create a culture whereby individuals will not face any form of retaliation, discrimination, or disadvantage for speaking up in good faith.
- Ensure concerns will be handled confidentially and individuals can report any issue anonymously if they wish. Maintaining confidentiality may sometimes be limited depending on the nature of the concern and the requirements of any investigation but will be fully discussed should that be the case.
- Facilitate an environment where concerns raised will be treated seriously. Feedback will be provided to the individual who raised the concern, in accordance with the nature of the issue, while respecting privacy and confidentiality requirements.
- Provide guidance and support for Caregivers throughout the process and encourage feedback on individual's experience of speaking up.

4. Policy statement

This policy reflects the national standard policy produced by the National Guardian's Office. Its aim is to ensure all matters raised are captured and considered appropriately.

5. Scope

This policy covers all Caregivers, contractors, volunteers, students, trainees, locum, bank and agency workers.

6. Responsibilities

6.1 Freedom to Speak Up Guardian

The Freedom to Speak Up Guardian (FTSUG) is a designated Caregiver responsible for supporting individuals who wish to raise concerns.

The FSUG will maintain confidentiality unless there are safeguarding or legal requirements, there is an immediate risk to you, to another worker, or a patient. In such circumstances you would be informed of this course of action and a support plan would be mutually agreed.

The FTSUG will:

- Oversee the overall implementation of the policy.
- Liaise with you to identify and agree together the most appropriate mechanism to address the matter.
- Offer advice regarding the policy, process and support available, including wellbeing support.
- Maintain regular, timely contact during the process until closure.
- Keep brief, confidential records of the concern and any resulting actions for feedback.
- Use internal mechanisms to promote the policy within the hospital. This may include publicising examples of some of the more general concerns raised and resulting actions taken.
- Meet regularly with the CEO to explore common themes identified.
- Report every quarter to the National Guardian's Office and Caregivers via the Town Hall Meeting.
- Prepare an annual report for the Leadership Team.

6.2 Human Resources:

Provide support, guidance and advice to all Caregivers in line with this policy as well as to individuals considering raising a concern under existing policies including:

Anti-Harassment and Victimisation Policy
Disciplinary Policy
Equal Opportunities and Diversity Policy
Grievance Policy
Menopause Policy
Public Interest Disclosure Act (Whistleblowing) Policy
Workplace Wellbeing Policy and Guidance

6.3 The Leadership Team

Ensure they uphold an organisational commitment to this policy and foster a culture of transparency and accountability.

6.4 Managers and supervisors:

Responsible for creating an environment where Caregivers feel able to raise concerns and for taking immediate steps to address any reported issues.

6.5 All Caregivers:

All Caregivers have a responsibility to:

- Attend the Freedom to Speak up training provide as part of induction.
- Read and understand this policy and to support the principles set out within it.

7. Definitions and when to Speak Up

Concerns and speaking up: 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 can capture a range of issues, some of which may be covered under the hospital's existing policies, including:

Anti-Harassment and Victimisation Policy
Disciplinary Policy
Equal Opportunities and Diversity Policy
Grievance Policy
Menopause Policy
Public Interest Disclosure Act (Whistleblowing) Policy
Workplace Wellbeing Policy and Guidance

7.1 When does a concern or complaint count as Speaking Up?

Examples of concerns that can be raised under this policy include, but are not limited to:

- Unsafe working conditions or practices.
- Risk to patient safety, dignity, or care.
- A criminal offence such as fraud, corruption, or financial mismanagement.
- Individuals health and safety are in danger.
- Risk or actual damage to the environment.
- A miscarriage of justice.
- The hospital is breaking the law, for example does not have the right insurance.
- The Caregiver believes someone is covering up.
- Breaches of confidentiality or data protection.

7.2 Which concerns or complaints do not count as Speaking Up?

Personal grievances (for example bullying, harassment, discrimination) are not covered by Speak Up unless your particular case is in the public interest such as major harm to individuals or the environment.

Personal grievances should be reported under the Hospital's Grievance Policy. The grievance in the first instance should be raised to the Caregiver's line manager and then to the HR Department if the workplace dispute remains unresolved.

8. Policy Implementation

Concerns/complaints can be raised through various channels to ensure that individuals feel comfortable using the method that best suits them. Caregivers have two routes to raising their concerns/complaints internally and then externally.

8.1 Raising concerns internally

- Directly to line managers or supervisors. This should be your first course of action.
- Through the Freedom to Speak Up Guardian: Jenny Deeming in Out Patient Physiotherapy Department, via the QR code (see Appendix 2) or email j.deeming@holycross.org.uk

Appendix 3 outlines 'What happens when I speak up?'

- Human Resources
- If an individual feels that their concern is not being adequately addressed at a local level, then the Caregiver should raise their concern with their Director.
- Finally, if the Caregiver has exhausted all lines of management, then they should raise their concerns with the Chief Executive who is also the Registered Manager.

8.2 Raising concerns externally

If the Caregiver does not consider their concern/complaint has been addressed they have the right to escalate it through external channels such as regulatory bodies (CQC).

9. Regulatory Requirements for the FSU Guardian

Freedom to Speak Up Guardian must complete national speak up training, work alongside a mentor and maintain CPD through additional training.

10. Evaluation Measures

The Freedom to Speak Up Guardian 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.

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 Protect or a legal representative.

11. Related Documents

Speaking Up Review, Sir Robert Francis, February 2015

<https://nationalguardian.org.uk/>

12. Appendices

APPENDIX 1 – Equality Impact Assessment (EIA) Tool

To be considered and where judged appropriate, completed and attached to any policy document when submitted to the appropriate committee for consideration and approval.

Policy Title	Freedom to Speak Up
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		Yes/No	Comments
	Does the policy/guidance affect one group less or more favourably than another on the basis of:		
	Race	No	
	Gender reassignment	No	
	Marriage & civil partnership	No	
	Pregnancy & maternity	No	
	Ethnic origins (including gypsies and travelers)	No	
	Nationality	No	
	Sex	No	
	Culture	No	
	Religion or belief	No	
	Sexual orientation	No	
	Age	No	
	Disability- both mental and physical impairments	No	
2.	Is there any evidence that some groups are affected differently?	No	
3.	Is the impact of the policy/guidance likely to be negative?	No	
4.	If so can the impact be avoided?	N/A	
5.	What alternatives are there to achieving	N/A	

	the policy/guidance without the impact?		
6.	Can we reduce the impact by taking different action?	N/A	
7.	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?	N/A	

Appendix 2:

QR Code to submit information to the Freedom to Speak up Guardian



Appendix 3: What Happens when I speak up?

