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**Speak Up Week**

**Team meeting exercise – managers notes**

Speak Up Week is all about the benefits of speaking up and how it can improve the places that we work. We would encourage managers to talk about speaking up with their teams during the week.

One way of doing this is to have a Q&A session with your teams around speaking up. We’ve developed some [question cards that you can use in a team meeting or huddle with your team](/sites/inwo/files/Speak%20Up%20Week%202022/SUWQuestionsForTeamMeetingExercise.pptx). The cards can be printed and cut out, or used as a slide show on powerpoint. The key is to get a discussion going, rather than reading out the answers below. The answers are intended as prompts for you. There are follow-up questions for each topic to help stimulate more conversation.

**1**. **What is speaking up?**

* Speaking up is saying something about issues that could cause harm to patients or staff, or about things that do not look right.
* Speaking up can range from mentioning something in a team meeting, the team discussing it and then making a decision to fix it, to more formal investigations of serious matters.
* Other ways of referring to speaking up include ‘raising a concern’ or ‘whistleblowing’.
* If informal processes can’t resolve things, or for more serious issues, there is a process for people to speak up confidentially using the National Whistleblowing Standards.
* To use the process in the Standards, the concern needs to be raised by someone providing a service on behalf of the NHS. The concern should:
  + be about an NHS service,
  + be about something that has or should have happened, where there is a risk of harm or wrongdoing, and
  + be in the public interest.
* **Follow up to question 1**: What’s the difference between whistleblowing and raising a grievance?
  + **Answer:** A grievance is more likely to be about an issue that affects an individual and their working conditions, whereas whistleblowing usually involves a wider group of people, involves an element of risk, and is in the public interest. The person whistleblowing doesn’t have to be personally involved. They may just be a witness to something that has happened.

**2.** **Why should people speak up?**

* By speaking up people can make services better and safer for patients and staff.
* If people aren’t able to change things themselves, then speaking up can alert the appropriate managers to take action to mitigate risks.
* If issues are not addressed, they can snowball into public scandals like the tragedies that happened in Mid-Staffordshire NHS trust or the cultural issues reported at NHS Highlands.
* Speaking up is a professional duty for some occupations and the process under the Standards is an effective way of doing it.
* **Follow up to question 2:** What are the barriers to speaking up in your workplace and how can they be addressed?
  + **Answer.** In all work places there can be built in barriers to being able to speak up effectively (some are listed below but try and elicit and discuss any local barriers)
    - Busyness and workloads
    - Hierarchies and people feeling unable to challenge those in authority over them
    - Loyalties to colleagues (including managers)
    - Not wanting to make work/ difficulties for a busy manager
    - Fear of consequences, particularly for trainees or new staff
    - People from minority groups may not feel safe to speak up because of fear of discrimination.

**3:** **What kind of things should you speak up about?**

* Anything that could cause a risk of harm to patients or staff, including indirect harm.
* The National Whistleblowing Standards suggests the following:
  + patient-safety issues
  + patient-care issues
  + poor practice
  + unsafe working conditions
  + fraud (theft, corruption, bribery or embezzlement)
  + changing or falsifying information about performance
  + breaking any legal obligation
  + abusing authority
  + deliberately trying to cover up any of the above.
* **Follow up to question 3:** Is bullying something you should speak up about?
  + **Answer:** Bullying and harassment is covered by a Once for Scotland Policy. Situations involving bullying and harassment of an individual would be covered by this policy. However where an individual is bullying and harassing others, and this is having an impact on a wider group of staff and creating risks to patients, this could also be a whistleblowing issue.

**4. Who can use the National Whistleblowing Standards to speak up?**

* Anyone, as long as they are providing a service on behalf of the NHS.
* **Follow up questions to 4:** What about…..?
  + Volunteers (yes)
  + Students on placement (yes)
  + Private contractors working for the NHS (yes)
  + Contract cleaners (yes)
  + Members of the executive team (yes)
  + Surgeons working in private hospitals doing NHS work (yes)

**5.** **Who can people speak up to?**

* People might start with raising something in a team meeting and seeing if they can resolve it by consensus.
* If that not’s possible or practicable, then their manager.
* If they have no success or are uncomfortable speaking with their manager then they should speak to a more senior manager, or the board’s Confidential Contacts.
* If people experience barriers to raising concerns they can also speak to the Independent National Whistleblowing Officer (INWO). See question 8.
* **Follow up to question 5**: what is a Confidential Contact?
  + **Answer:** Every board has Confidential Contacts whose job it is to be an initial point of contact to whistleblowers, to provide information and advice, and to assist them to raise a concern with the most appropriate manager. They might also be called Whistleblowing Ambassadors in some boards, but they essentially have the same role. Confidential Contacts are also involved in promoting the National Whistleblowing Standards within boards.

**6.** **Is there someone independent I can speak to?**

* Yes. The Independent National Whistleblowing Officer (INWO) can provide advice to anyone about raising a concern. They are also the independent review stage for any whistleblowing concerns that have completed the two-stage process for raising whistleblowing concerns in the NHS. The team provide a help line on week days to answer any queries. Details are available on the INWO website.
* **Follow up to question 6:** Who can help people if they have a query relating to an HR issue or a grievance?
  + Answer: The INWO often receives enquiries relating to HR or personal grievances. Some of the people they most often signpost to include:
    - ACAS – who give advice about employment issues
    - Unions – for representation and advice about raising a grievance or other HR process.

**7.** **How are people who speak up protected?**

* People who raise concerns under the National Whistleblowing Standards have a right to confidentiality. The Standards say that the person’s details should not be routinely shared during or after speaking up. Also the person’s details should not be shared unless it is required for the purposes of investigation, or unless there is a lawful reason to share it. This must be discussed with the whistleblower.
* Boards should also support people that raise concerns, and anyone else that becomes involved with an investigation. Support should be based on the needs of that individual and take account of the board’s duty of care as an employer.
* Any misconduct identified through a whistleblowing investigation should be taken through normal disciplinary processes.
* If a whistleblower is unhappy with the response they receive from the Board about their concerns, or are worried that they have experienced detriment as a result of speaking up, they can raise this with the INWO. The INWO can investigate claims of detriment as well as any outstanding whistleblowing concerns.
* **Follow up to question 7:** How can we support colleagues to speak up?
  + **Answer:** Speaking up is in everyone’s interests. Being able to speak up freely can help create a culture in the work place that values and enhances learning and improvement. Teams should try to create an environment where people can share concerns at an early stage, that are acted upon. With the right approach, speaking up becomes part of getting things done, without having to resort to formal processes.