NHS
Cornwall and
Isles of Scilly

Freedom to speak up policy for the NHS

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V1.1	9 January 2023	Corporate governance team	Final accessibility checks. Draft policy returned to People team for final ratification and adoption by the ICB.
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V3.0	24 June 2025	Susan Bracefield, CNO	Updates ratified
V4.0	4 March 2026	Lisa Nightingale	Change of non-executive and NHSE support schemes – minor update.
V4.0	4 March 2026	Susan Bracefield, Acting CEO	Updates ratified

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1. 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

We have also 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.

2. 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 staff.

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 lesbian, gay, bi, trans and questioning (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 freedom to speak up (FTSU) is in these videos.

3. 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.

4. 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, human resources or patient safety/quality):

- disciplinary policy and procedure
- complaints and compliments policy
- antifraud and bribery policy
- health and safety policy
- incident management policy
- grievance and dignity at work policy

5. 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.

6. 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.

7. 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.

Senior manager, partner or director with responsibility for the subject matter you are speaking up about.

The quality and patient safety team (where concerns relate to patient safety or wider quality) contacts are Samantha Collier – Head of clinical quality

samantha.collier6@nhs.net and Charity Gladstone - Patient safety specialist, charity.gladstone@nhs.net

The local counter fraud team contact (where concerns relate to fraud) is Carver Tedstone. Carver works for independent organisation TIAA ltd. c.tedstone@nhs.net

Our freedom to speak up guardian is Lisa Nightingale lisa.nightingale2@nhs.net / 07353892042 can support you to speak up if you feel unable to do so by other routes. The guardian 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 people team email address is ciosicb.peopleteam@nhs.net

Our senior lead responsible for freedom to speak up is Susan Bracefield, chief nursing officer s.bracefield@nhs.net. Susan provides senior support for our speaking up guardians and is responsible for reviewing the effectiveness of our FTSU arrangements.

Our non-executive director responsible for freedom to speak up is Lopa Patel lopa.patel3@nhs.net. This role is specific to organisations with boards and can provide more independent support for the guardian; provide a fresh pair of eyes to ensure that investigations are conducted with rigor; and help escalate issues, where needed.

Speaking up externally

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

You can also speak to 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.

You can contact 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'.

8. 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.

9. Advice and support

You can find out about the local support available to you on the staff intranet.
Your local staff network, staff voice, 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.
- 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.

10. 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 A.

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 staff 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 staff to our freedom to speak up guardians.

Appendix A: What will happen when I speak up?

We will

- Thank you for speaking up
- Help you identify the options for resolution
- Signpost you to health and wellbeing support
- Confirm what information you have provided consent to share
- Support you with any further next steps and keep in touch with you

Steps towards resolution

- Engagement with relevant senior managers (where appropriate)
- Referral to HR process
- Referral to patient safety process
- Other type of appropriate investigation, mediation, etc

Outcomes

- The outcomes will be shared with you wherever possible, along with learning and improvement identified

Escalation

- If resolution has not been achieved, or you are not satisfied with the outcome, you can escalate the matter to the senior lead for FTSU or the non-executive lead for FTSU.
- Alternatively, if you think there are good reasons not to use internal routes, speak up to an external body, such as the CQC or NHS England

Appendix B: 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.

Appendix C: Equality impact assessment

Name of policy or service to be assessed: Whistleblowing policy
Department or section: People and organisational development (POD)
Date of assessment: 30 January 2021
Person(s) responsible for the assessment: Tricia Phillips, POD
Is this a new or existing policy? Existing

Aims, objectives and purpose of the policy

Describe the aims, objectives and purpose of the policy:
To set out the process by which an employee can raise a concern about a possible risk, wrongdoing or malpractice that has a public interest aspect to it.

Who is intended to benefit from this policy, and in what way?
Any person who had previously experienced detriment prior to the successful conclusion of the whistleblowing procedure. Any employee who required a process in which to raise their concern.

What outcomes are wanted from this policy?
That the process by which an employee can raise a concern about a possible risk, wrongdoing or malpractice that has a public interest aspect to it, is clearly set out and understood.

What factors or forces could contribute or detract from the outcomes?
Lack of employee, line manager, designated officer or authorised external body understanding of the process.

Who are the main stakeholders in relation to the policy?
Employees, designated officers, named appeal persons.

Who implements the policy, and who is responsible for the policy?
Employees, team managers and designated officers implement the policy. POD is responsible for updating the policy.

Differential impacts

Does this have a positive or negative impact on black, Asian and minority ethnic (BAME)? How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

Does this have a positive or negative impact on people who identify as male, female or intersex? How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

What is the positive or negative differential impact on people from the perspective of disability? How will any negative impact be mitigated?

Employees with a learning disability may have more difficulties understanding the process.

Designated officers of POD team members can provide advice and guidance.

Does this have a positive or negative impact on people who identify as heterosexual, lesbian, gay, bisexual, pansexual or asexual? How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

What is the positive or negative differential impact on people from the perspective of age? How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

What is the positive or negative differential impact on people from the perspective of religion or belief? How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

What is the positive or negative differential impact on people from the perspective of marriage and civil partnership? This is particularly relevant for employment policies. How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

Does this have a positive or negative impact on people who identify as trans or transgender, non-binary or gender fluid? How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

Does this have a positive or negative impact on people who are pregnant, breast feeding mothers, or those on maternity leave? How will any negative impact be mitigated?

There is currently no information to indicate that this document will disadvantage or have a negative impact on this group if implemented and operated as described within this policy and procedure.

Other identified groups

There is currently no information to indicate that this document will disadvantage or have a negative impact on other identified groups if implemented and operated as described within this policy and procedure.

Human rights values

How have the core human rights values of fairness, respect, equality, dignity and autonomy been considered in the formulation of this policy, service or strategy?

This policy and procedure are based on the principles of openness and intelligent transparency and therefore supports these principals.

Which of the human rights articles does this document impact?

☐ To life
☐ Not to be tortured or treated in an inhuman or degrading way
☐ To liberty and security
☐ To a fair trial
☐ To respect for home and family life, and correspondence
☒ To freedom of thought, conscience and religion
☐ To freedom of expression
☐ To freedom of assembly and association
☐ To marry and found a family
☒ Not to be discriminated against in relation to the enjoyment of any of the rights contained in the European Convention
☐ To peaceful enjoyment of possessions

What existing evidence (either presumed or otherwise) do you have for this? How will you ensure that those responsible for implementing the policy are aware of the human rights implications and equipped to deal with them?

This policy and procedure are based on the principles of openness and intelligent transparency.

Public Sector (Social Value) Act 2012

NHS Kernow is committed and obliged to fulfil the requirements of the Public Sector (Social Value) Act 2012. This Act requires the organisations to consider how services commissioned or procured might improve the economic, social and environmental wellbeing of an area.

Please describe how this will support and contribute to the local system, wider system and community.

Please consider:

- The inclusion of small medium size enterprises (SMEs) in the process and supply chain
- Economic – promote skills, tackle worklessness, maintain employment, increase volunteer hours to support the community and promote inclusion
- Social – reduce anti-social behaviour, tackle exclusion by promoting inclusion including to vulnerable groups
- Environmental – support local, reduce congestion.

This policy might contribute to the reduction of anti-social behaviour, tackle exclusion and promoting inclusion including vulnerable groups as it encourages workers to contact their employer with a concern about the organisation and its services.

Describe how the policy contributes towards eliminating discrimination, harassment and victimisation.

The policy has a section on how to raise your concern which sets out our obligations and principles around eliminating discrimination, harassment and victimisation for whistleblowers and those dealing with whistleblowing complaints.

Describe how the policy contributes towards advancing equality of opportunity.

This policy is designed around giving all groups the right and means to raise a concern. It allows for various routes to achieve this, giving choice to the whistleblower.

Describe how the policy contributes towards promoting good relations between people with protected characteristics.

N/A.

If the differential impacts identified are positive, explain how this policy is legitimate positive action and will improve outcomes, services and/or the working environment for that group of people.

N/A.

Explain what amendments have been made to the policy or mitigating actions have been taken, and when they were made.

N/A.

If the negative impacts identified have been unable to be mitigated through amendment to the policy or other mitigating actions, explain what your next steps are using the following equality impact assessment action plan.

N/A.

Signed (completing officer): People team

Date: January 2023

Signed (head of department or section): Emma Goudge

Date: January 2023