Superior Healthcare Group

Freedom to Speak Up Guardian Policy and Procedure

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12/10/2026	1.0	Approved	JR	RMs	AH & SL	Full review: Guardian network model, aligned with Whistleblowing v4.1, post-NGO national arrangements and ERA 2025 changes.

Important Notice

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Accessible Formats

In accordance with the Accessible Information Standard, this policy is available in alternative formats upon request, including large print or easy read. Employees and clients who require information in a specific format should speak to their Nurse Manager, Coordinator or the Registered Manager.

1. Background

Freedom to Speak Up (FTSU) is about everyone who works for Superior Healthcare Group feeling safe and confident to raise anything that gets in the way of safe, good-quality care, or that affects their working life, knowing they will be listened to, that action will follow, and that they will not suffer as a result.

Freedom to speak up is one of CQC's Well-led quality statements: "We foster a positive culture where people feel that they can speak up and that their voice will be heard." CQC looks for evidence that speaking up arrangements exist, are known and trusted by the workforce, and lead to learning and improvement.

The Freedom to Speak Up Guardian role was created following Sir Robert Francis's Freedom to Speak Up review (2015). National arrangements have since changed: the National Guardian's Office closed on 30 June 2026, and NHS England now supports Guardian networks and hosts the national Guardian foundation training. Providers are responsible for appointing, training and supporting their own Guardians, and CQC continues to assess speaking up arrangements as part of Well-led. This policy reflects those arrangements.

Until now, Superior Healthcare Group has relied on a single named Freedom to Speak Up contact. This policy replaces that arrangement with a **network of trained Freedom to Speak Up Guardians**, so that team members have a genuine choice of who to approach, across different roles and locations.

This policy works alongside the **Whistleblowing Policy and Procedure**, which sets out the legal protections for people who make a protected disclosure. This policy sets out the Guardian network and how speaking up works day to day; it does not replace the Whistleblowing, Grievance, Safeguarding, Incident Management or Complaints policies.

2. Purpose

- To establish a Freedom to Speak Up Guardian network at Superior Healthcare Group, and set out how Guardians are appointed, trained, supported and kept independent.
- To give everyone who works for us several safe routes to speak up, including a confidential route independent of line management and an anonymous option.
- To make sure concerns are listened to, acted on and fed back on, and that people who speak up are protected from detriment.
- To make sure themes and learning from speaking up are captured, reported and used to improve care and working life.
- To support compliance with CQC Well-led expectations, including the Freedom to speak up quality statement.

This policy supports compliance with the relevant CQC inspection framework and the following Key Lines of Enquiry:

Key Line of Enquiry	Quality Statement
WELL LED	Freedom to speak up; Shared direction and culture; Workforce equality, diversity and inclusion; Governance, management and sustainability; Learning, improvement and innovation
SAFE	Learning culture; Safe and effective staffing; Involving people to manage risks

It supports Superior Healthcare Group to meet the following legal requirements:

- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, in particular Regulation 17 (Good governance) and Regulation 12 (Safe care and treatment).
- Employment Rights Act 1996, Part IVA (protected disclosures), as inserted by the Public Interest Disclosure Act 1998.
- Employment Rights Act 2025: from 6 April 2026, a disclosure about sexual harassment can be a protected disclosure.
- Equality Act 2010, including the duty to take reasonable steps to prevent sexual harassment of employees (Worker Protection (Amendment of Equality Act 2010) Act 2023).
- UK GDPR and the Data Protection Act 2018 (confidentiality and record keeping).

3. Scope

- **The following people can use this policy:** all employees, bank workers, agency workers, students and trainees on placement, volunteers and contractors working for Superior Healthcare Group, across all registrations and locations (Kent, Sussex and the Regions), field-based and office-based. Former workers may also raise concerns about their time with us.
- **The following roles have responsibilities under this policy:** Freedom to Speak Up Guardians, the Freedom to Speak Up Lead, the Leadership Team, managers at all levels and the People Team.
- **The following stakeholders may be affected by this policy:** clients and families (whose safety and experience are often the subject of concerns), commissioners, and regulators including CQC and the Nursing and Midwifery Council.

Concerns or complaints raised by clients or families are handled under the Complaints Policy and Procedure. A team member may still use this policy to speak up about a client-safety concern on a client's behalf.

4. Objectives

- A network of trained Freedom to Speak Up Guardians is in place, visible and accessible to field-based and office-based team members in every registration.
- Everyone knows how to speak up and who to speak to, from induction onwards.
- Every concern is acknowledged promptly, handled through the right route, and the person who spoke up receives feedback.
- No one suffers detriment for speaking up, and any reported detriment is investigated.
- Anonymised themes are reported to the Quality and Governance Meeting and Leadership Team at least quarterly and lead to improvement actions on the Continuous Improvement Plan (CIP).

5. Responsibility

Overall accountability for speaking up arrangements sits with the Chief Executive and the Leadership Team. Day-to-day responsibilities are as follows:

Role	Key responsibilities
Chief Executive and Leadership Team	Role-model speaking up and listening; provide visible sponsorship; make sure Guardians have protected time and resources; review speaking up themes at least quarterly; act on systemic issues; uphold a no-detriment culture.
Freedom to Speak Up Lead (Director of Quality and Governance)	Owns this policy; coordinates the Guardian network, appointment and training; maintains the anonymised speaking up log; reports themes to the Quality and Governance Meeting and Leadership Team; completes an annual review of speaking up arrangements. Does not act as a Guardian for concerns about Quality and Governance.
Freedom to Speak Up Guardians	Listen to people who speak up; agree how the concern will be handled; signpost or, with consent, escalate to the right person or process; protect confidentiality; check for detriment; keep minimal, anonymised records; report themes. Guardians do not investigate concerns.
Managers (including Nurse Managers, Registered Managers and head office managers)	Listen to and act on concerns raised with them; give feedback; never discourage or penalise anyone for speaking up; signpost to a Guardian where appropriate; support investigations; act on themes in their teams.
People Team	Make sure HR processes (grievance, disciplinary, capability) protect people who speak up; investigate reported detriment; include speaking up in induction; hold employment records confidentially.
All workers	Speak up when something does not feel right; treat colleagues who speak up with respect; complete speaking up training at induction and as refreshed; co-operate with any investigation.

6. Policy

Superior Healthcare Group wants to hear about anything that gets in the way of safe, good-quality care or of a positive working environment. Speaking up early helps us put things right, protects clients and colleagues, and helps us learn.

6.1. What you can speak up about

Speaking up is deliberately broad. You do not need proof, and it does not need to be serious to be worth raising: small, early concerns are often the most useful. Examples include:

- client safety or quality of care, including unsafe practice, medication issues or poor record keeping;
- staffing levels, skill mix, workload or rota practices that affect safety;
- bullying, harassment (including sexual harassment), discrimination or incivility;
- a policy or process not being followed, or not working in practice;
- possible fraud, financial misconduct, breaches of the law or regulatory requirements;
- closed-culture warning signs, such as a team that discourages outside scrutiny;
- suspected cover-up of any of the above.

If a concern is about your own employment (for example your pay, contract or a personal dispute with a manager), the Grievance Policy is usually the right route. A Guardian can help you decide.

6.2. Ways to speak up

You can choose the route that feels right for you. You do not need to go through them in order.

Route	How
Your line manager, Nurse Manager or Coordinator	Usually the quickest way to resolve an issue. Speak to them directly or in supervision.
A senior manager or Registered Manager	If you are not comfortable speaking to your line manager, or the issue has not been resolved.
A Freedom to Speak Up Guardian	A confidential route independent of your line management. Contact details are on noticeboards, on ACP and in the induction pack (see Appendix).
Anonymous online form	Use the Feedback / Raise a Concern form (QR code in the Whistleblowing Policy). We will still act, but may not be able to give you feedback.
People Team or Quality and Governance team	peopleteam@superiorhealthcare.co.uk or governance@superiorhealthcare.co.uk.
Lead for Freedom to Speak Up or the Chief Executive	If your concern involves senior leaders or you feel it has not been handled properly.
External bodies	You can speak up to CQC, the Nursing and Midwifery Council (registered nurses), the local authority safeguarding team, or another prescribed person. You can get free, confidential advice from the charity Protect or from Acas. See the Whistleblowing Policy for details.

Urgent safety and safeguarding concerns: if a client or anyone else is at immediate risk, act now. Follow the Safeguarding Policy or Incident Management Policy straight away and contact the on-call team. You can talk to a Guardian as well, but not instead.

6.3. The Freedom to Speak Up Guardian network

- Superior Healthcare Group aims to have **three to five Guardians**, drawn from different roles, levels and locations (field-based and office-based, and across Kent, Sussex and the Regions), so that everyone has a genuine choice.
- Guardians are appointed through an open expression of interest and a fair selection process, based on values and skills rather than seniority (see Procedure).
- Guardians are **independent and impartial**. They do not handle concerns about teams they line manage or where they have a conflict of interest, and they never investigate concerns themselves. A Guardian with a conflict passes the concern to another Guardian.
- Guardians are given **protected time** to carry out the role, agreed with their line manager and recorded in their appointment letter.
- Guardians complete the national Freedom to Speak Up Guardian foundation training (hosted by NHS England on the e-Learning for Healthcare platform) before starting, and continuing development at least annually.
- Guardians meet with the Freedom to Speak Up Lead at least quarterly for peer support, reflective supervision and to share (anonymised) themes, and have access to the Employee Assistance Programme and independent psychological support.

- Guardians' names, photographs and contact details are published on noticeboards, on ACP, in the induction pack and on the Teams policy library, and are kept up to date.

6.4. Confidentiality and anonymity

- **Confidential:** your identity is known to the person you speak to, but will not be shared without your consent. This is the default for Guardian conversations.
- **Anonymous:** you do not give your name. We will act on anonymous concerns, but it may be harder to investigate fully or to give you feedback.
- **Limits to confidentiality:** a Guardian or manager may have to share information, even without consent, where there is a risk of serious harm to a client or anyone else, a safeguarding concern, or a legal requirement to disclose. If this happens, you will be told first wherever possible, and only the minimum necessary will be shared.
- Everyone involved in handling a concern must keep the identity of the person who spoke up, and the details of the concern, confidential. Breaching this may be a disciplinary matter.

6.5. Protection from detriment

No one will suffer detriment for speaking up. Detriment includes being ignored, excluded, bullied, given fewer shifts or hours, moved off a package, having a request unfairly refused, or being dismissed because you spoke up.

- Anyone who subjects, or threatens to subject, a person to detriment for speaking up will be dealt with under the Disciplinary Policy.
- If you feel you have suffered detriment, tell a Guardian, the People Team or the Freedom to Speal Up Lead. It will be investigated independently.
- Guardians check with the person who spoke up, when the concern is closed and again around three months later, whether they have experienced any detriment.
- Where a concern is also a **protected disclosure**, you have legal protection from detriment and dismissal under the Employment Rights Act 1996 (see the Whistleblowing Policy). This includes disclosures about sexual harassment.
- No settlement or confidentiality agreement used by Superior Healthcare Group will prevent anyone from making a protected disclosure or speaking to a regulator.

6.6. Raising concerns in good faith

We expect concerns to be raised honestly. You will not be penalised if a concern you reasonably believed turns out to be mistaken. Knowingly making a false or malicious allegation is a misuse of this policy and may be dealt with under the Disciplinary Policy.

6.7. How this policy fits with other routes

If your concern is about...	The right route is usually...
Immediate risk to a client or anyone else	Safeguarding Policy / Incident Management Policy, straight away
An incident, error or near miss	Incident Management Policy (and Duty of Candour where it applies)

If your concern is about...	The right route is usually...
Wrongdoing in the public interest (e.g. risks to safety, breaches of the law, cover-up)	Whistleblowing Policy and Procedure
Bullying, harassment or discrimination	Anti-Bullying, Harassment and Discrimination Policy
Your own employment terms or treatment	Grievance Policy and Procedure
A client or family complaint	Complaints Policy and Procedure
A data breach or misuse of information	Data Protection Policy
Not sure, or worried about using the other routes	Speak to a Freedom to Speak Up Guardian

6.8. Records and data protection

- Guardians keep a minimal record of each concern (date, route, broad theme, actions, feedback given, detriment check) on the secure Freedom to Speak Up log held by Quality and Governance, with access restricted to Guardians and the Freedom to Speak Up Lead.
- Names and identifying details are recorded only where needed and with the person's knowledge. Reports to the Quality and Governance Meeting and Leadership Team are anonymised.
- Records are kept in line with the Records Storage and Retention Policy and handled in line with the Data Protection Policy.

6.9. Training and awareness

- All workers complete Freedom to Speak Up awareness training at induction (the national "Speak Up" e-learning or an equivalent Superior Healthcare Group session).
- Managers complete "Listen Up" training, and Leadership Team members complete "Follow Up" training, so that concerns are received and acted on well.
- Speaking up is promoted through the Q&G monthly update, Policy of the Month, team meetings and supervision.

6.10. Monitoring and reporting

- The Freedom to Speak Up Lead reports anonymised numbers, themes, timeliness, feedback and any detriment to the Quality and Governance Meeting and Leadership Team at least quarterly. Systemic actions are added to the CIP.
- An annual Freedom to Speak Up report reviews the effectiveness of the arrangements, Guardian coverage and training, and the results of the employee engagement survey question on feeling safe to speak up.
- The Leadership Team completes an annual self-review of its speaking up arrangements against national good practice.

7. Procedure

Step 1: Speak up

Raise your concern with any of the routes above, in person, by phone, by email, through Teams or anonymously. It helps to explain what happened, when, who was involved, and any risk to clients or colleagues, but you do not need to have all the facts.

Step 2: The Guardian listens and agrees next steps

- The Guardian acknowledges the concern within **two working days** and arranges to talk at a time and place that suits the person.
- The Guardian listens, explains confidentiality and its limits, and agrees with the person how they would like the concern handled: advice only, support to raise it themselves, or (with consent) the Guardian raising it on their behalf.
- Where there is an immediate risk, the Guardian makes sure the Safeguarding or Incident Management process is started straight away.

Step 3: Refer to the right person

- With consent, the Guardian refers the concern to a manager with the authority to act, who is independent of the concern.
- Concerns about senior leaders go to the Freedom to Speak Up Lead or the Chief Executive. Concerns about the Chief Executive go to the Freedom to Speak Up Lead, who will agree an independent route (which may be external).

Step 4: Look into the concern

The responsible manager looks into the concern proportionately, using the relevant policy (for example Incident Management, Whistleblowing or Grievance). The Guardian does not investigate but may check on progress. The person who spoke up should normally receive an update within **ten working days**, and further updates if it takes longer.

Step 5: Feedback and closure

- The person who spoke up receives feedback on what was done and any changes made, as far as confidentiality allows.
- The Guardian asks about their experience of speaking up, checks for any detriment, and closes the case on the log.
- A further detriment check is offered around three months later.

Step 6: Learning

Themes are reported (anonymised) through the quarterly Freedom to Speak Up report. Improvement actions are logged on the CIP with an owner and timescale, and learning is shared through the Q&G monthly update where appropriate.

Appointing Guardians

1. The Freedom to Speak Up Lead publishes an expression of interest (for example through the Q&G monthly update), explaining the role, time commitment and support.

2. Applicants give a short statement of why they want the role. A panel including the Freedom to Speak Up Lead and a People Team representative selects Guardians fairly, aiming for a mix of roles, locations and backgrounds.
3. Each Guardian receives an appointment letter confirming protected time, their line manager's agreement and the support available.
4. Guardians complete the national foundation training before taking up the role.
5. Contact details are published and the network is launched to teams.
6. Guardian arrangements, coverage and time are reviewed at least annually.

8. Definitions

- **Freedom to Speak Up (FTSU):** a culture in which people feel safe and confident to raise concerns about anything that gets in the way of good care or affects their working life, and are confident they will be heard and not suffer as a result.
- **Freedom to Speak Up Guardian:** a trained, independent and impartial contact who supports people to speak up and helps them access the right process, without investigating the concern.
- **Freedom to Speak Up Lead:** the Director of Quality and Governance, who owns this policy and coordinates the Guardian network.
- **Detriment:** any unfavourable treatment, action or failure to act because someone has spoken up.
- **Protected disclosure:** a disclosure of information that the worker reasonably believes is in the public interest and shows a relevant failure (for example a danger to health and safety, a breach of a legal obligation, or sexual harassment), which carries legal protection under the Employment Rights Act 1996.

9. References

- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, Regulations 12 and 17.
- Care Quality Commission: Single Assessment Framework, Well-led quality statement "Freedom to speak up".
- NHS England: The future of Freedom to Speak Up (April 2026) and Freedom to Speak Up development and support resources.
- NHS England: National Freedom to Speak Up policy for the NHS (used as a good-practice model).
- Sir Robert Francis: Freedom to Speak Up review (2015).
- Employment Rights Act 1996 Part IVA (as inserted by the Public Interest Disclosure Act 1998); Employment Rights Act 2025.
- Equality Act 2010 and Worker Protection (Amendment of Equality Act 2010) Act 2023.
- Protect (whistleblowing charity) and Acas guidance on whistleblowing.
- Nursing and Midwifery Council: The Code, and guidance on raising concerns.

10. Related Documents, Forms and Templates

- Whistleblowing Policy and Procedure (including the anonymous Raise a Concern form).
- Safeguarding Policy and Procedure.
- Incident Management Policy and Procedure; Duty of Candour Policy.
- Anti-Bullying, Harassment and Discrimination Policy and Procedure.
- Grievance Policy and Procedure; Disciplinary Policy and Procedure.
- Complaints Policy and Procedure.

- Quality Assurance and Governance Policy and Procedure; Continuous Improvement Plan (CIP) register.
- Data Protection Policy; Records Storage and Retention Policy.
- Freedom to Speak Up log and quarterly report template; Guardian appointment letter.

For advice or support, contact the Quality and Governance team via governance@superiorhealthcare.co.uk.

Appendix: Freedom to Speak Up contacts

Keep this page up to date and display it on noticeboards and ACP.

Role	Name	Contact
Freedom to Speak Up Lead	Jo Rychlik, Director of Quality and Governance	jorychlik@superiorhealthcare.co.uk 07702 363969
Freedom to Speak Up Guardian	[Name, role, location – on appointment]	[Email / phone]
Freedom to Speak Up Guardian	[Name, role, location – on appointment]	[Email / phone]
Freedom to Speak Up Guardian	[Name, role, location – on appointment]	[Email / phone]
Anonymous route	Raise a Concern form	QR code in the Whistleblowing Policy
External advice	Protect / Acas	protect-advice.org.uk / acas.org.uk
Regulator	Care Quality Commission	cqc.org.uk (give feedback on care / whistleblowing)