

Our Ref: NG/RM/25314
Date: 26th September 2025

Nicola Griffiths
Deputy Director of Governance
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Reception: 0300 123 1535

Dear

Freedom of Information Act Request

I am writing in response to your e-mail of the 3rd September 2025. Your request has been processed using the Trust's procedures for the disclosure of information under the Freedom of Information Act (2000).

Requested information:

I am writing to request information under the Freedom of Information Act 2000 regarding North Staffordshire Combined Healthcare NHS Trust's handling of sexual harassment reports and related policies for the years 2022, 2023, and 2024.

- How many reports or complaints of sexual harassment or inappropriate sexual conduct has your organisation received in each of the past three calendar years?
 - **2022/23- 2**
 - **2023/24- 2**
 - **2024/25- 3**
- What is your organisation's formal policy for handling reports of sexual harassment?
Please see Appendices 1 and 2 attached.
- Do you classify reports of sexual harassment as "whistleblowing reports" under your current policies? **No but staff can use 'Freedom to speak up' process to report.**
- Please provide the total number of whistleblowing reports your organisation has received in each of the last three years and indicate how many of these related specifically to sexual harassment.

Total number of Freedom to Speak up concerns raised:

- **2024/25 – 86 concerns**
- **2023/24 – 71 concerns**
- **2022/23 – 76 concerns**

No concerns were raised related specifically to sexual harassment.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review of the management of your request. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Dr Buki Adeyemo, Chief Executive, North Staffordshire Combined Healthcare Trust, Trust Headquarters, Lawton House, Bellringer Road, Trentham, ST4 8HH. If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely



Nicola Griffiths
Deputy Director of Governance

Document level: Trust Wide
Policy Ref No: 3.09
Issue number: V3

Freedom To Speak Up Policy

Lead executive	Chief People Officer
Authors details	Freedom To Speak Up Guardian and Being Open Lead

Type of document	Policy
Target audience	All Trust Staff
Document purpose	To provide guidance

Approving meeting	PCDC	Meeting date(s)	25 th September 2023
Implementation date	1 st October 2023	Review date	1 st October 2026

Trust documents to be read in conjunction with	
	Resolution and Grievance
	Inclusion Policy
	Transgender and Inclusion
	Being Open Duty of Candour
	Disciplinary Policy
	Violence and Aggression
	Local Counter Fraud

Document change history		Version	Date
What is different?	<p>The policy resets the thinking and language to be more inclusive, whilst providing staff with additional communication routes to speak up where they may have been reluctant to speak up in the past.</p> <p>The policy places more emphasis on the importance of speaking up, rather than worrying about which process is the right one to use.</p> <p>The policy will help to deliver the People Promise for our people, ensuring they have a voice that counts, and where leaders and managers listen to workers, driving learning and improvement.</p>		

	This policy amalgamates any previous separate versions for primary care and NHS trusts to ensure a consistent approach for our NHS people, and signposts to a wider variety of support available for all.		
Appendices / electronic forms	2 appendices - end of policy		
What is the impact of change?	<p>Greater consistency of FTSU policies for all NHS organisations and others providing primary or secondary care</p> <p>The policy encourages people to speak up at an early stage without worrying about the correct process to use and offers assurance of support</p>		

Training requirements	N/A
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Document consultation	
Directorates	People and OD directorate including: Chief People Officer Non – Executive Director
Corporate services	Associate Director of Education Associate Director of Governance
External agencies	Staff side

Financial resource implications	N/A
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External references
1. FTSU National Guardians Office

Monitoring compliance with the processes outlined within this document	LMS
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Equality Impact Assessment (EIA) - Initial assessment	Yes/No	Less favourable / More favourable / Mixed impact
Does this document affect one or more group(s) less or more favorably than another (see list)?		
<ul style="list-style-type: none"> – Age (e.g., consider impact on younger people/ older people) – Disability (remember to consider physical, mental, and sensory impairments) – Sex/Gender (any particular M/F gender impact; also consider impact on those responsible for childcare) – Gender identity and gender reassignment (i.e., impact on people who identify as trans, non-binary or gender fluid) – Race / ethnicity / ethnic communities / cultural groups (include those with foreign language needs, including European countries, Roma/travelling communities) – Pregnancy and maternity, including adoption (i.e., impact during pregnancy and the 12 months after; including for both heterosexual and same sex couples) – Sexual Orientation (impact on people who identify as lesbian, gay, or bi – whether stated as ‘out’ or not) – Marriage and/or Civil Partnership (including heterosexual and same sex marriage) – Religion and/or Belief (includes those with religion and /or belief and those with none) – Other equality groups? (May include groups like those living in poverty, sex workers, asylum seekers, people with substance misuse issues, prison and (ex) offending population, Roma/travelling communities, and any other groups who may be disadvantaged in some way, who may or may not be part of the groups above equality groups) 		No issues identified for any of the protected characteristics
If you answered yes to any of the above, please provide details below, including evidence supporting differential experience or impact.		
If you have identified potential negative impact: <ul style="list-style-type: none"> - Can this impact be avoided? Staff are required to complete mandatory education to ensure a safe service provision. - What alternatives are there to achieving the document without the impact? Can the impact be reduced by taking different action? 		
Do any differences identified above amount to discrimination and the potential for adverse impact in this policy?	No	

If YES, could it still be justifiable e.g., on grounds of promoting equality of opportunity for one group? Or any other reason	
Enter details here if applicable	
<p>Where an adverse, negative, or potentially discriminatory impact on one or more equality groups has been identified above, a full EIA should be undertaken. Please refer this to the Diversity and Inclusion Lead, together with any suggestions as to the action required to avoid or reduce this impact.</p> <p>Discussed the above with the Inclusion & Diversity Lead – adjustments offered and made ensured equality and inclusion.</p> <p>For advice in relation to any aspect of completing the EIA assessment, please contact the Diversity and Inclusion Lead at Diversity@combined.nhs.uk</p>	
Was a full impact assessment required?	No
What is the level of impact?	

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1.0 Policy Statement

This partnership and recognition agreement between the Trust and its recognised Trade Unions, is based on mutual trust and respect for each other's role and responsibilities taking into account local, regional and national context and drivers. With a shared purpose of acting in the best interests of our staff and the communities served by the Trust.

This policy supports the application of our Trust Values which guide our actions and behaviour as an employer and provider of services.

These are Proud to **CARE**:

Compassionate	Caring with compassion, it's about how we listen, what we say and what we do.
Approachable	Friendly, welcoming, sharing ideas and being open.
Responsible	Taking personal and collective responsibility and being accountable for our actions
Excellent	Striving for the best, for high-quality safe care and continually improving

The Trust values are underpinned by the Trusts commitment to 'Just Culture' principles where we endeavour to keep an open mind when incidents occur and do not seek to attribute blame. The primary concern will always be to understand what went wrong and why, with a view to improving processes and supporting employees in an environment and culture of continuous improvement. This enables the learning of valuable lessons so that the same or similar errors can be prevented, minimising the potential for repetition. Ensuring the fair treatment of employees supports a culture of fairness, openness, and learning, helping employees to feel confident to speak up if things do go wrong.

2.0 Diversity and Inclusion Statement

The implementation and application of this policy is intended to ensure that no job applicant or employee receives less favourable treatment because of their race, colour, nationality, ethnic or national origin, or on the grounds of their gender, gender reassignment, marital status, disability, age, sexuality, religion, or trade union membership, or is disadvantaged by conditions or requirements which are not justified by the requirements of the job. Action will always be taken where this occurs. This applies to all aspects of employment for existing staff and potential employees.

The Trust is committed to being an inclusive and anti-racist organisation. An inclusive employer is one which recognises people's different needs, situations and goals, and removes the artificial barriers that limit progress and attainment. It is a place where all people are treated with civility, kindness, and respect.

This policy has had an Equality Impact Assessment which has been completed by the People Operations Team and signed off by the Trust's Diversity and Inclusion Lead.

These procedures should be applied equitably to all employees ensuring that there is no discrimination on the grounds of age, disability, race, ethnicity, gender, gender identity, sexual orientation, religion, belief, offending background, trade union activities, marital or family circumstances or domestic/care arrangements.

3.0 Introduction

This policy is used when someone who works in, has previously worked in, or for an organisation raises a concern about a possible fraud, crime, malpractice, danger, or other serious risk that could threaten clients or patients, colleagues, the public or the organisation's reputation.

North Staffordshire Combined Healthcare NHS Trust is committed to the development of a positive learning and being open culture. We support and empower our people to raise issues and concerns early and we will always be involved in helping to resolve them. Our people are our best early warning system and are integral in ensuring that problems are identified and addressed early, before they have a chance to escalate into something potentially more harmful.

This speaking up route has been developed to support members of staff to bring genuine concerns to the attention of appropriate people within the Trust, who can take the relevant action. This includes bringing the matter to the immediate attention of a suitable person outside the normal line of management.

Raising Concerns is used when an individual has a concern about danger or illegality that has a public interest aspect to it or when there is grievance with a dispute about an employee's own employment position and has no additional public interest dimension.

This process does not replace and should not be used instead of the Resolution and Grievance Policy, which staff should use if they have a concern about their own treatment which they wish to take formally (including where this treatment relates to their own contract of employment).

In the event that a concern is raised that would be more appropriately dealt with under a different policy (e.g., Grievance, Complaints, Bullying & Harassment etc.), the matter will be discussed with you and dealt with in line with the more appropriate policy.

This speaking up route is designed to help staff to follow the appropriate steps to raise their concerns with an appropriate person at an early stage. It also provides a clear process for Trust managers and leaders to respond appropriately to concerns raised, in line with the Trust's responsibility under the Public Interest Disclosure Act 1998.

4.0 Policy Synopsis:

This procedure applies to all Trust employees, ex-workers, ex-employees, students, workers, and volunteers, including permanent, temporary and bank staff, non-executive directors, and sub-contracted staff acting on behalf of the Trust (i.e., agency staff). If an individual has concerns relating to another organisation or the practice or conduct of an individual employed by another organisation, staff may wish to approach the person directly on an informal basis. If this is not possible or appropriate, these concerns should be reported to the line manager of the person the concern relates to, who will escalate as appropriate within their own organisation. Alternatively, the Combined Healthcare employee may raise this concern with their own line manager. In the event that a concern raised is related to potential or actual abuse of any description, the Trust Safeguarding team should be contacted, in line with multi-agency safeguarding policies and procedures. It is recommended that if a concern is raised in another organisation, an individual should notify their own line manager that the disclosure has been made. This allows the Trust to provide whatever support may be required.

Concerns raised by anyone not covered in the section above, (including members of the public and ex-employees) will be investigated, but depending on the nature of the concern raised, may be treated as a complaint, and would therefore not be subject to this policy. Such concerns would still be addressed, albeit through a different process. For some concerns this would not be appropriate, and in these cases, the concerns would be investigated in line with this policy. It is noted that the *Public Interest Disclosure Act 1998* applies to workers only, however the Trust is committed to investigating concerns as raised and will do so through whichever process is deemed most appropriate.

All staff are responsible for ensuring they comply with the requirements of this policy, treating all people with civility, kindness, and respect and mindful of individual differences and preferences, demonstrated through spoken and written word, actions and behaviors.

Any member of staff may at one time or another, have concerns about what is happening at work. Usually, such concerns are easily resolved and supported by the individual discussing them with their line manager.

The Trust recognises however, that raising concerns can be extremely difficult. An individual may be worried about raising issues about fellow healthcare workers, feeling they need hard proof, or that their actions demonstrate disloyalty to colleagues, their manager, or to the Trust.

Individuals are encouraged and expected to raise genuine concerns and should always be advised of support that is available to them.

All staff have a responsibility to raise concerns about the Trust, its activities, or those of any Trust employee or worker, where concerns are serious and involve safety or suspected fraud, staff have a specific duty to raise these concerns immediately.

Concerns should be raised at the earliest stage possible. The Trust encourages staff to raise any matter at the earliest opportunity (i.e., even when it may only be a suspicion), than wait until there is proof or further incidents occur.

No member of staff will be penalised for disclosing genuine concerns about any form of malpractice. Individuals raising concerns under this speaking up route have legislative protection from such victimisation, as set out in the above Act. Where such victimisation occurs, this will lead to disciplinary action by the Trust and may be considered an act of gross misconduct.

Inevitably some concerns raised may be genuinely misconstrued (e.g., due to the individual being unaware of all the facts). In such cases, if the individual raising concerns has a reasonable belief that their concerns are genuine, they will be recognised to have taken the appropriate action.

However, where an individual is found to have maliciously raised unfounded allegations, e.g., for personal gain, or to malevolently damage the reputation of the Trust or a specific individual, such action will be treated as misconduct (potentially gross misconduct) and will lead to disciplinary action against the individual concerned.

5.0 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
- Given regard to the need to reduce inequalities between patients in access to, and outcomes from healthcare services and to ensure services are in an integrated way where this might reduce health inequalities.

6.0 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](https://www.engalnd.nhs.uk) 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”. The People Promise can be found online at: <https://www.engalnd.nhs.uk>

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. For example, agency workers, bank workers, locums, or students. We also know that workers with disabilities, or those from a minority ethnic background or the LGBTQ+ community do not always feel able to speak up.

This policy is for all employees, and we want to hear all our employee concerns.

We ask all our employees to complete the online training on speaking up. This is available on our learning management system for all staff to book on to and complete. 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 that can also be found online at: <https://www.e-lfh.org.uk/programmes/freedom-to-speak-up>

7.0 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 normalize speaking up for the benefit of patients and workers. Its aim is to ensure that all matters are captured and considered appropriately.

8.0 What can I speak up about?

You can speak up about anything that gets in the way of patient care or anything which affects your working life. This 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 these things. It therefore captures a range of issues, some of which may be appropriate for other existing processes (for example, people operations or patient safety/quality).

Other policies that may be appropriate for you to review are:

- Resolution and Grievance
- Inclusion at Work Policy
- Transgender and Inclusion
- Being Open Duty of Candour
- Violence and Aggression
- Incident Response
- Local Counter Fraud
- Disciplinary Policy

As an organisation, we will listen and work with you to identify the most appropriate way of responding to the issue or concern you raise.

8.1 We want you to feel safe to speak up

Speaking up is valuable to us, because it helps us to 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.

Anyone who speaks up will be supported with their health and wellbeing taken into account. They will be updated with progress about the actions taken in relation to them speaking up and they will be signposted to the Trusts wellbeing services.

8.2 Who can speak up?

Anyone who works in the NHS healthcare, including pharmacy, optometry, and dentistry. This encompasses any healthcare professional, non-clinical workers, receptionist, directors, managers, contractors, volunteers, students, trainees, junior doctors, locum, bank or agency workers and former workers.

8.3 Who can I speak up to internally?

Most speaking up happens through conversations with supervisors and line managers where challenges are raised, supported, 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 for you.

However, you have other options in terms of who you can speak up to, depending on what feels most appropriate for you.

Please use the link here to access the detailed information and contacts for alternative raising concern routes available to you.

<https://cat.combined.nhs.uk/people-and-support/freedom-to-speak-up/>

Who can I speak up to externally?

Care Quality Commission (CQC) (for quality and safety concerns about services it regulates). You can find out more about how the CQC handle concerns here:

<https://www.cqc.org.uk>

NHS England

For any concerns about:

GP surgeries

Dental practices

Optometrists

Pharmacies

How NHS trusts and foundation trusts are being run (this includes ambulance trusts and community 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 within 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 the NHS England can get involved in individual employment matters, such as a concern from an individual about feeling bullied.

NHS Counter Fraud Agency (for concerns about fraud and corruption) using their online reporting form. This can be found at: <https://reportfraud.cfa.nhs.uk> or 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'.

9.0 How should I speak up?

You can speak up to any of the people or organisations listed above or by accessing the people or organisations using the QR code in person, by phone or in writing (including email).

Confidentiality

The most important aspect of you speaking up is the information you can provide and 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 your identity without your consent.

Anonymously

You do not want to reveal your identity to anyone. This can make it difficult for us to ask you for further information about the matter or concern and may make it more complicated to act to help to resolve the issue or support you. It also means that you might not be able to access any extra support you may need or for you to receive any feedback on the outcome of your concern.

In all circumstances, please be ready to explain as fully as you can the information and circumstances that prompted you to speak up.

10.0 Advice and Support

More advice and support can be available for anyone who is a member of a union. Your local staff network contact details are available for you to access using the link below:

<https://cat.combined.nhs.uk/people-and-support/freedom-to-speak-up/>

You can also 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.](#)
- NHS England has a [Speak Up Support Scheme](#). This can also be found online at: <https://www.england.nhs.uk/ourwork/freedom-to-speak-up-support-scheme/>. This is a scheme can apply to for support.

You can also contact the following organizations:

- [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.

11.0 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 a HR/People

Operations 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 B.

12.0 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 or conduct identified during the investigation will be considered separately.

13.0 Communicating with you

We will always treat you with respect and we 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).

14.0 How we learn from your speaking up

We want speaking up to improve the services we provide for patients and the environment that you, 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.

15.0 Review

We will seek feedback from employees about your 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.

16.0 Senior leaders' oversight

Our most senior leaders will receive a report at least annually, providing a thematic overview of speaking up by our staff through our FTSU Guardian.

Appendix A:

What will happen when I speak up?

We will:

- Thank you for speaking up.
- Help you identify options for resolution.
- Signpost you to health and wellbeing support.
- Confirm what information you have provided consent for us 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 (where appropriate)
- Referral to patient safety process (where appropriate)
- Undertake other types 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, you may wish to speak up to an external body, such as the CQC or NHS England

Appendix B:

Making a protected disclosure

Making a 'protected disclosure'

A protected disclosure is defined in the Public Interest Disclosure Act 1998. This legislation allows certain categories of workers 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 the [Protect](#) or a legal representative.

Training Needs Analysis for the policy for the development and management of Trust wide procedural / approved documents

Please tick as appropriate

There are no specific training requirements- awareness for relevant staff required, disseminated via appropriate channels. (Do not continue to complete this form-no formal training needs analysis required)	✓
There are specific training requirements for staff groups. (Please complete the remainder of the form-formal training needs analysis required-link with learning and development department.)	

Staff Group	✓ if appropriate	Frequency	Suggested Delivery Method (traditional/ face to face / e-learning/handout)	Is this included in Trust wide learning programme for this staff group (✓ if yes)
Career Grade Doctor				
Training Grade Doctor				
Locum medical staff				
Inpatient Registered Nurse				
Inpatient Non-registered Nurse				
Community Registered Nurse				
Community Non-Registered Nurse / Care Assistant				
Psychologist / Pharmacist				
Therapist				
Clinical bank staff regular worker				
Clinical bank staff infrequent worker				
Non-clinical patient contact				
Non-clinical non patient contact				

Please give any additional information impacting on identified staff group training needs (if applicable)

Please give the source that has informed the training requirement outlined within the policy i.e., National Confidential Inquiry/NICE guidance etc.

Any other additional information

Completed by

Date

3.13 Bullying & Harassment At Work Policy

DOCUMENT INFORMATION

CATEGORY:	Policy
THEME:	Human Resources
DOCUMENT REFERENCE:	3.13
DIRECTOR LEAD:	Director of Leadership and Workforce
APPROVAL DATE:	6 th June 2024
APPROVAL BODY:	PCDC
BOARD RATIFICATION DATE:	7 th September 2017
FINAL REVIEW DATE:	30 th June 2025

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1 Policy Statement

- 1.1 As an equal opportunities employer, North Staffordshire Combined Healthcare NHS Trust (the Trust) supports a working environment for individuals in which dignity at work is paramount. The purpose of this policy is to support a working environment and culture in which bullying and harassment is unacceptable.
- 1.2 This policy supports application of our Trust Values which guide our actions and behaviours. We are Proud to CARE:

Caring
Approachable
Responsible
Excellent

2 Scope

- 2.1 This policy applies to all workers within the Trust, employees, visitors, patients, contractors, volunteers, students and staff from other organisations working on Trust premises. It also applies to all Trust employees working in other premises.

3 Duties

- 3.1 **The Executive Lead** for this policy is the Director of Leadership & Workforce, who is responsible for ensuring that there is an appropriate policy lead, that the policy is reviewed and updated appropriately and that compliance with this policy is monitored.
- 3.2 **The Policy Lead** has a responsibility to:
- Ensure the policy is reviewed in line with updates in legislation
 - Carry out a full review of the policy every three years or sooner if changes are required
 - Ensure the policy is produced in the agreed Trust format using the Trust template
 - Contact all contributors at times of review
 - Provide the approving committee with a final draft at the appropriate times
 - Ensure that compliance is being met against this policy
- 3.3 **Managers** have a duty to encourage a culture free from bullying and harassment by:

- Setting a positive example by treating others with respect and demonstrating acceptable behaviours.
- Promoting a working environment where bullying and harassment is unacceptable.
- Taking prompt action to stop any form of bullying or harassment as soon as it occurs.
- Ensuring that potentially offensive material is not displayed or circulated in the workplace.
- Ensuring that staff who report incidents of bullying or harassment are protected from victimisation, and are aware of support available such as Occupational Health and the Staff Support and Counselling Service.
- Ensuring that staff attend Bullying & Harassment training sessions where a need has been identified.
- Seeking advice from Staff Side Representatives and Human Resources.

3.4 Any person described in section 2.1 has a duty to ensure they do not bully, harass, or contribute to or condone bullying or harassment of colleagues by others. Staff will also be required to attend Bullying & Harassment training sessions when requested by a manager.

All working on behalf of the Trust have a responsibility to support a culture free from bullying and harassment and to promote inclusive team working and care environments. The Trust will not tolerate any form of racist, cultural, religious, sexist, misogynistic, ableist, biphobic, homophobic and/or transphobic discrimination, bullying and harassment in any of our services, whether from service users and patients, members of the public, or those working on behalf of the Trust. Action will always be taken where this occurs.

3.5 The HR department have a responsibility to ensure that the policy is followed fairly and consistently. Their duties will involve:

- Advising managers on the application of the policy
- Ensuring that all staff and managers involved are aware of support available to them
- Ensuring the effective implementation of the policy
- Monitoring incidents of bullying and harassment and initiating appropriate action
- Reviewing and amending the policy as necessary
- Ensuring that Bullying & Harassment training sessions are held and are open to all managers to attend.

3.6 Trade Union Representatives may support their members as required and guide them through the process if needed.

4. Framework

4.1 All employees have a right to be treated with dignity and respect and to work in an environment free from bullying or harassment.

- 4.2** The Trust recognises that bullying or harassment in the workplace is improper and inappropriate behaviour, which may cause stress and undermines the health and safety of people at work. Such behaviour will not be tolerated.
- 4.3** Managers and Trade Unions have a joint commitment to working together to monitor incidents of bullying and harassment, and to resolving issues in an effective and consistent manner, using appropriate mechanisms.
- 4.4** Each member of staff carries personal responsibility for their own behaviour and are responsible for ensuring that their conduct is in line with the standards set out in the behaviours framework (Appendix 2) and this policy. Staff should report to the appropriate manager, or trade union representative, or HR department, any incidents of bullying and or harassment which come to their attention.
- 4.5** Allegations raised regarding bullying and harassment will be taken seriously and treated confidentially. The Trust gives an assurance that there will be no victimisation against an employee making a complaint under this policy or against employees who assist or support a colleague in making a complaint.
- 4.6** Bullying and harassment may be treated as a disciplinary offence and will be managed in accordance with the Trust Disciplinary Policy. Disciplinary action may also be taken if a complaint is found to have been submitted maliciously or in bad faith.
- 4.7** The Trust aims to ensure that all managers are trained to recognise and deal with bullying and harassment, and that appropriate support is available to managers dealing with incidents, where required.
- 4.8** The Trust recognises that bullying or harassment causes stress and can affect job performance. Anyone who feels they are experiencing Bullying and harassment, or is involved in any way is encouraged to seek confidential support and advice from the Trust's Staff Support and Counselling Service, or the Occupational Health Service, at any stage.

5 Definitions

- 5.1** The Trust uses the following definitions to determine whether any reported behaviour constitutes bullying or harassment:

5.2 Harassment as defined in the Equality Act 2010 is:

Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The characteristics that are protected by the Equality Act 2010 are:

- age
- disability

- gender identity and gender reassignment
- marriage or civil partnership pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

5.3 An employee may find behaviour offensive and make a complaint even if the conduct is not directed at them and they need not possess the relevant protected characteristic themselves.

5.4 It doesn't matter whether any of these characteristics apply to you, or the people in your life. If you are treated worse because someone thinks you belong to a group of people with protected characteristics, this is discrimination.

5.5 The Act now also protects you if people in your life, such as family members, friends or co-workers have a protected characteristic and you are treated less favourably because of that. For example, you are discriminated against because your son is gay.

5.6 Bullying

5.7 Bullying may be characterised by offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power which results in the recipient feeling threatened, undermined, humiliated or vulnerable.

5.8 Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual. Appendix 1 gives examples of unacceptable behaviours that can be considered to constitute bullying and harassment.

6 Procedure

6.1 A process map of the procedure can be found at Appendix 3.

6.2 Incidents of bullying or harassment may be reported to any manager, Union representative or the HR department. The person reporting the incident will be asked to complete a Bullying & Harassment Reporting Form in order to capture the details of the incident(s). This form can be found at Appendix 4, and the completed form should be forwarded to the Union office and or the HR department.

6.3 It is in the interests of all parties that allegations of bullying and/or harassment are resolved informally where possible in order to preserve working relationships. However, where a formal investigation into allegations of Bullying

or Harassment is required, this will be undertaken using the Disciplinary investigation process.

6.4 If allegations of bullying or harassment are substantiated, the alleged offender will be subject to the disciplinary process.

6.5 If the complainant is not satisfied with the outcome of the investigation at paragraph 6.3, they will have the right to appeal the outcome at Stage 3 of the Resolution of Grievance and Dispute Procedure.

7 Implementation and Monitoring

7.1 Compliance with this policy will be monitored through the mechanisms detailed in the table below. Where compliance is deemed to be insufficient and the assurance provided is limited an action plan will be developed to address the gaps; progress against the action plan will be monitored at the specified group / committee.

Minimum requirement to be monitored	Process / Method	Responsible individual / group / committee	Frequency of monitoring	Responsible individual / group / committee for review of results	Responsible group / committee for monitoring action plan
Duties	PDR	Line Manager	Annually	Line Manager	Line Manager
Statement by the organisation that harassment and / or bullying is not acceptable	Policy review	HR Team	3-yearly	N/A	N/A
Process for raising concerns about harassment and / or bullying	Report	HR Team	Monthly	- Head of Directorate - Executive Team - Trust Board	Head of Directorate
	Review of Staff Survey	Training & Development Team	Annually	Quality Committee JNCC	Quality Committee JNCC
	Analysis of completed Bullying and Harassment forms plus disciplinary / grievance cases	HR Team	At least annually		
Process to be followed once a concern has been raised	Report	HR Team	Monthly	- Head of Directorate - Executive Team - Trust Board	Head of Directorate

	Review of Staff Survey	Training & Development Team	Annually	Quality Committee	Quality Committee
	Analysis of completed Bullying and Harassment forms plus disciplinary / grievance cases	HR Team	At least annually	JNCC	JNCC
Organisation's expectations in relation to staff training, as identified in the TNA	PDR	Line Manager	Annually	Line Manager	Line Manager

8 Associated Policy and Procedural Documentation

- 8.1** The Trust has a legal duty to provide its workers with a workplace that is free from harassment, intimidation and bullying. The Trust recognises and will adhere to its obligations arising from employment legislation, in particular:

Equality Act 2010

Employment Act 2002

Health and Safety at Work Act 1974

- 8.2** This policy should be read in conjunction with other relevant Trust policies such as the *Disciplinary Policy*, the *Performance Improvement Procedure*, and the *Work-related Stress Policy*.

9 Training

- 9.1** Bullying & Harassment training is available as part of the People Management Programme, and is open to anyone to attend. Consideration may also be given to arranging a departmental training session if sufficient numbers of staff require it. Managers should contact the HR Department to arrange this.

- 9.2** Requirement for Bullying & Harassment Awareness training should be identified as part of the Trust process of Training Needs Analysis.

9.3 Attendance at training sessions is recorded on the Trust training database.

Appendix 1

Examples of unacceptable behaviour that can be considered to constitute bullying and harassment:

- Shouting at an individual to get things done
- Picking on one person when there is a common problem
- Ridiculing or humiliating an individual especially in front of their colleagues
- Physically abusing or threatening someone
- Victimising or treating someone less favourably than another, for example because a person has brought proceedings, given evidence or complained about the behaviour of someone who has been harassing or discriminating against them or others
- Consistently undermining someone and their ability to do their job
- Changing working practices or job content/responsibilities at short notice without consultation or explanation
- Communicating instructions through third parties or in writing when direct verbal communication would be the norm
- Delegation of excessive workload, delegation of work with unreasonably tight deadline or delegation of demeaning tasks
- Excessive supervision/monitoring of work
- Persistent and unjustifiable criticisms of work performance
- Bypassing an employee by persistently seeking advice and information from the employee's manager/colleagues/subordinate staff
- Personal abuse and micro aggressions relating to gender identity, culture, race, religion, ability/disability, sexual orientation or other personal attribute or characteristic
- 'Trolling' and personal abuse on social media

Appendix 2

Behaviours Framework

Proud to CARE **Compassionate Approachable Responsible Excellent**

The following is the behaviour framework, broken down by each value:

Compassionate <ul style="list-style-type: none">✓Listening to others, considering their feelings and needs✓Respecting and being responsive towards diversity and difference✓Pulling together, helping colleagues out when their priorities are greater than your own✓Recognising your own stresses & limitations and developing ways to cope with them✓Promoting and encouraging Healthy living and recovery with service users and colleagues	Approachable <ul style="list-style-type: none">✓Communicating with everyone openly, clearly and appropriately✓Keeping a positive and calm manner when faced with challenging situations✓Providing and welcoming feedback to support good behaviour and challenge inappropriate behaviour✓Taking people's understanding, viewpoints and needs into account when making decisions✓Being friendly and welcoming, making eye contact, giving your name and smiling where appropriate
Responsible <ul style="list-style-type: none">✓Always putting service users' first, maintaining professional integrity, confidentiality, following correct procedures, adhering to standards and adopting best practice✓Holding ourselves & others to account to prioritise our workload in delivering high quality timely care✓Developing our self-awareness by seeking feedback from others, reflecting and acting upon it✓Making the most effective use of available resources to provide best value at all times✓Take full responsibility for patients you come in contact with, ensuring any other needs are properly co-ordinated	Excellent <ul style="list-style-type: none">✓Encouraging team problem-solving to create better outcomes and solutions✓Being flexible and responsive, changing our own practice and behaviours to ensure we continually improve✓Inspiring and recognising others, so they feel they want to strive to improve or do something different✓Welcoming and being prepared to take acceptable risk to innovate or provide safe patient-centred care✓Looking outside the trust to compare our performance, search out best practice, develop relationships and share learning to improve ways of working

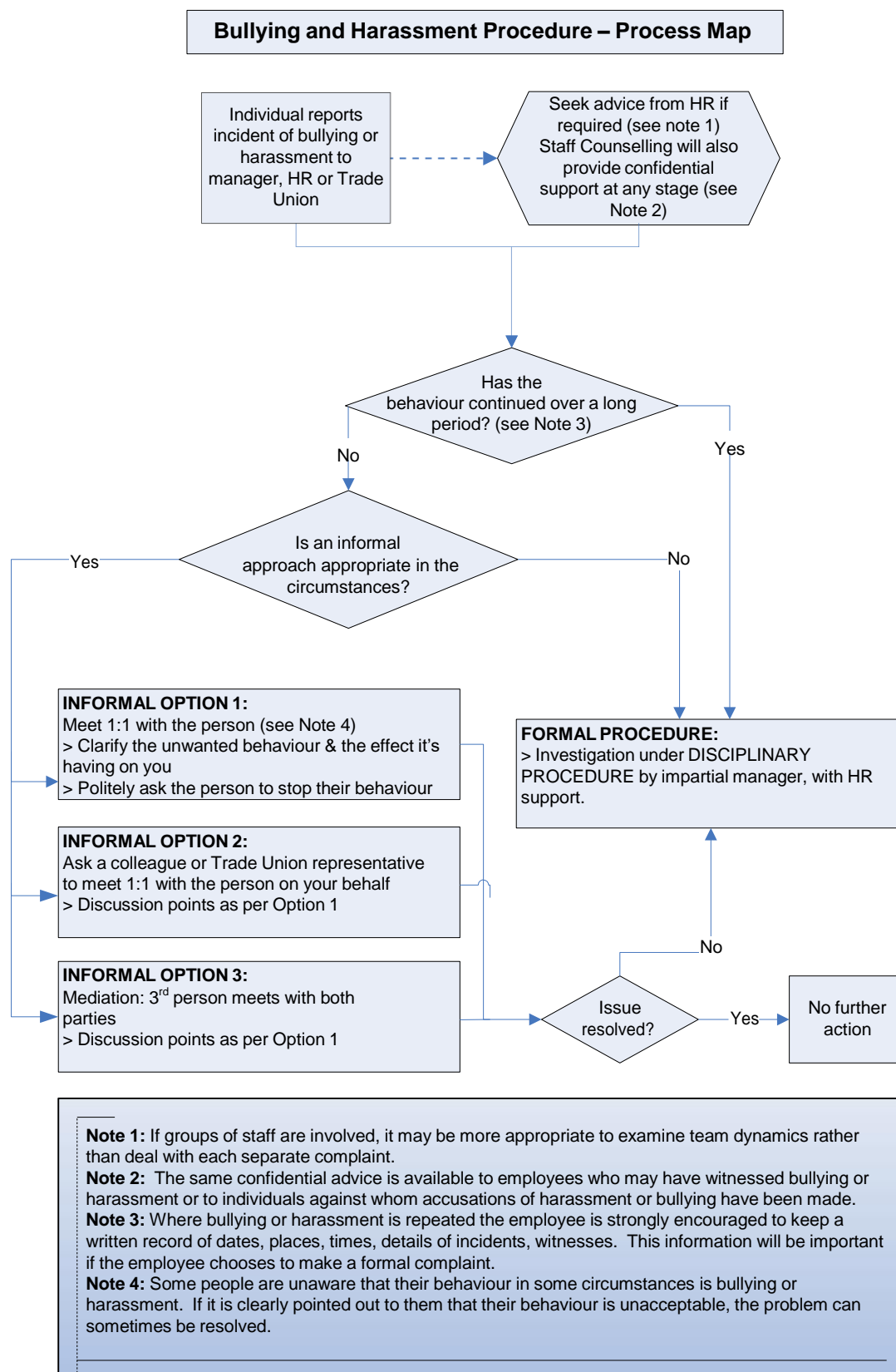
Document Reference: 3.13

Approval Date:

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Appendix 3



OUR ASSURANCE

All information will be treated as strictly confidential and no action will be taken without the complainant's knowledge.

We would still appreciate details of the incident for monitoring purposes, even if you do not wish any further action to be taken.

Do you agree to the Trust holding this information, in accordance with the Data Protection Act?

Incident details only

☐ Yes ☐ No

My details

☐ Yes ☐ No

Signature

Date

DON'T SUFFER IN SILENCE

REPORTING FORM FOR INCIDENTS OF BULLYING AND / OR HARASSMENT



Please complete this form and return it
to your Senior Manager, Union
Representative or a HR Advisor

Document Reference: 3.13

Approval Date:

ABOUT THIS FORM

This form has been designed for you to report any form of bullying or harassment occurring in the Trust that you may have directly experienced, witnessed or are reporting on behalf of someone else.

Sometimes you may feel that the incident is too minor to report. It is, however, still important to tell us what's happened.

ABOUT YOU

The details you provide will be recorded for monitoring purposes. If you wish this incident to be investigated please include how you would prefer to be contacted.

Are you the complainant or a witness?

☐ Complainant ☐ Witness ☐ Third Party

Name

Job Title & Grade

Address where you wish to be contacted:

.....
.....
.....

Tel no (work or home):

E:mail:

If you wish to be contacted only at certain times or locations, please give details:

.....
.....

OTHER WITNESSES

Were there any other witnesses to the incident?

☐ Yes ☐ No

If Yes, please give names, grades and base or work location

.....
.....

ABOUT THE INCIDENT

What do you think motivated this treatment?

☐ Racism ☐ Religion ☐ Disability

☐ Sexuality ☐ Gender ☐ Age

☐ Other

When did the incident take place?

Time Day Date

Where did this happen?

.....
.....

Were there any injuries?

☐ Yes ☐ No If Yes please give details:

Did any loss or damage to property result from the incident?

☐ Yes ☐ No If Yes please give details:

.....
.....

Please tell us about the incident in your own words, giving as much detail as possible – continue on a separate sheet if necessary.

.....
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ABOUT THE COMPLAINANT

Age Gender

First Language

Please tick how you would describe yourself:

Religion

☐ Buddhist

☐ Christian

☐ Hindu

☐ Jewish

☐ Muslim

☐ Rastafarian

☐ Sikh

☐ Other

☐ No religion

☐ Prefer not to say

Sexuality

☐ Heterosexual

☐ Bisexual

☐ Gay/Lesbian

☐ Prefer not to say

Ethnicity

☐ White British

☐ White Irish

☐ White other

☐ Black Caribbean

☐ Black African

☐ Black other

☐ Asian

☐ Indian

☐ Pakistani

☐ Bangladeshi

☐ Chinese

☐ Other (please clarify)

.....

☐ Prefer not to say

ABOUT THE ALLEGED OFFENDER(S)

How many alleged offenders were there?

Do you know them?

☐ Yes ☐ No

If Yes, please give names, grades and base or work location