



HUMBERSIDE FIRE AND RESCUE SERVICE

# People & Development

## Freedom to Speak Up Guardian Policy

<b>Owner</b>	<b>Executive Director of People &amp; Development</b>
<b>Responsible Person</b>	<b>Head of Occupational Health &amp; Wellbeing</b>
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## **1. INTRODUCTION**

Employees are often the first to realise that there may be something wrong within the workplace. However, there can be several barriers which prevent raising concerns, such as being disloyal to their colleagues, to their representative body or to the Service. They may also fear harassment, reprisal, victimisation, that they may be ignored or that nothing will be done about their concern. In these circumstances it may be easier to ignore the concern rather than report what may be only a suspicion or feeling of something being wrong.

Humberside Fire Authority (HFA) and Humberside Fire & Rescue Service (HFRS) are committed to the highest possible standards of integrity, openness, fairness, inclusivity, probity, and accountability. HFRS aims to provide a positive and supportive culture to enable employees to raise their concerns.

'Freedom to Speak Up' is intended to encourage and enable employees to raise any concerns that they feel breach of the 'Core Code of Ethics' or anything which affects their working life, without fear of reprisal, rather than tolerating a problem or pursuing their concerns externally. This policy has been discussed with the relevant representative bodies and has their support.

### **Core Code of Ethics**

HFRS has adopted the Core Code of Ethics for Fire and Rescue Services. The Service is committed to the ethical principles of the Code and strives to apply them in all we do, therefore, those principles are reflected in this Policy.

### **National Guidance**

Any National Guidance which has been adopted by HFRS, will be reflected in this Policy.

## **2. EQUALITY & INCLUSION**

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services or in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

## **3. AIM AND OBJECTIVES**

This Policy aims to:

- Demonstrate that HFRS values employees who speak up.
- Create a safe environment where an employee can respectfully raise concerns if they do not feel it appropriate to discuss with their line-manager.

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- Provide an independent person to listen to the concerns of staff and direct them to the appropriate policy to raise their concerns.
- Provide an informal way of resolving concerns between employees by way of voluntary mediation.
- Provide an independent viewpoint when employees raise concerns.
- Enable serious concerns (e.g. multiple perpetrators, criminal activity, impact on organisational reputation) to be escalated to SLT via the Executive Director of People and Development in a timely manner or as part of the quarterly review meetings

### 4. ASSOCIATED DOCUMENTS

- [Equality Impact Assessment](#)
- Data Protection Impact Assessment (pending)
- Legal References  
There are no specific legislative requirements relevant to this policy.
- National Guidance
  - [The National Guardian's Office – Freedom to Speak Up](#)
- [Professional Standards Whistleblowing Policy](#)
- [Professional Standards Grievance Policy](#)
- [Professional Standards Dignity at Work policy](#)
- [Health & Safety Policy Statement](#)

### 5. INTERFACE WITHIN OTHER POLICIES AND PROCEDURES

If issues are in respect of the conduct of a Member of Humberside Fire Authority, these are dealt with by the Monitoring Officer to the Fire Authority as set out in the Whistleblowing Policy. Please refer to the 'Complaints about Members' section on the [Fire Authority](#) webpage for further information.

There are other avenues for employees to raise concerns, for example the Anti-Fraud and Corruption Policy, the Grievance Procedure Policy and the Dignity at Work Policy.

Where possible, if an employee has concerns about their personal working situation or circumstances, the policies and procedures mentioned above should be used in the first instance. However, if the individual feels that their circumstances are exceptional or that they feel unable to use the normal route to raise their concern, it can be raised through 'Freedom to Speak Up'.

The Freedom to Speak Up Policy is not an alternative to other HFRS policies or to be used as a mechanism for appealing against the outcomes of other procedures.

## 6. RAISING CONCERNS

### Who is covered by the Policy?

Anyone who works for HFRS including agency, temporary workers, students, and volunteers.

### Feel safe to speak up.

If you speak up under this policy, you will not be at risk of losing your job or suffering any form of reprisal because of raising a concern. HFRS will not tolerate the victimisation of anyone raising a concern, nor will we tolerate any attempt to bully staff into not raising any such concern. Any such behaviour is a breach of Core Code of Ethics as an organisation and, if upheld following investigation, could result in disciplinary action against the perpetrator in accordance with our Disciplinary Procedure Policy.

If you feel you have been subject to repercussions, either because you have raised a concern or because you are thought to have raised a concern (even though you have not), please contact the Freedom To Speak Up Guardian (FTSUG).

The FTSUG reports to the Executive Director of People & Development who has the responsibility for Freedom to Speak Up and who provides support and governance to ensure the effectiveness of the Freedom to Speak Up process. The names of people who raise concerns are not used during case review or supervision to ensure confidentiality.

### What matters does the Policy cover?

The Policy is primarily aimed at encouraging employees to raise concerns over anything that conflicts with the Core Code of Ethics or affects their working life. A few examples (not exhaustive) are below:

- Unsafe working conditions
- Unethical behaviour (Core Code of Ethics)
- Inadequate local induction or training for staff
- Procurement concerns
- Recruitment malpractice
- A bullying culture
- Financial concerns (you are likely to be supported to take any financial concerns via the Whistleblowing Policy).
- Improving a current standard, process, policy, activity and/or equipment

### If in doubt, please raise it.

Do not wait for proof, we would like you to raise the matter as soon as possible. If it is a genuine concern it does not matter if you turn out to be mistaken.

If your concern is a personal complaint about your employment that only affects you and/or your immediate colleagues rather than a concern about something that

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affects others, and you feel unable to raise this with your line manager, then you may wish to raise a grievance using our Grievance Procedure Policy, bearing in mind that it is possible to raise a collective grievance.

### How do I raise a concern?

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. HFRS 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 do have other options:

- Station Managers, Group Managers, Corporate Leadership Team (CLT) and Strategic Leadership Team (SLT) members with responsibility for the subject matter you are speaking up about.
- Human Resources (HR) Team
- Trade Union Representatives
- Independent Speak Up - FRS Speak Up (Telephone 0800 022 3818 or online: [FRS Speak Up | Crimestoppers \(theilne.co.uk\)](https://theilne.co.uk))
- Independent Freedom to Speak Up Guardian: Wellbeing Manager

Our 'Freedom to Speak Up Guardian' can support you to speak up if you feel unable to do so. 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 raise a concern via the methods below:

- Online form - [Freedom to Speak up Guardian](#)
- Send a letter to:  
Private & Confidential  
Wellbeing Manager  
Occupational Health  
Beverley Fire Station  
New Walkergate  
Beverley  
HU17 9EQ

### Externally

If you do not want to speak up to someone within HFRS, you can speak up externally to:

- FRS Speak Up (Telephone 0800 022 3818 or online: [FRS Speak Up/ Crimestoppers \(theilne.co.uk\)](https://theilne.co.uk))
- Options contained in the [Whistleblowing Policy](#)
- Options listed in our external [Support Routes](#)

## **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 [Dignity at Work (anti Bullying and Harassment Procedure Policy)]. If so, we will discuss that with you, establish what barriers may be in place for you to utilise the existing process and support you to find a resolution. If you speak up about something that does not fall into an HR or Health, Safety & Environment (H&S) remit, this policy ensures that the matter is still addressed.

## **Initial Response**

The Guardian will contact the person who raised the concern within two working days and will listen in detail to the concern, formulate an initial response and agree a joint plan to resolve the concern and address any wellbeing concerns. As it may involve discussions with other staff and departments, the amount of information that can be shared, and with whom, will be agreed at this first step.

## **Resolution and investigation**

HFRS support our managers/supervisors to listen to the issue you raise and take action to resolve it wherever possible. In most cases, it is 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 with the relevant subject matter knowledge (e.g. Health & Safety, Human Resources). If statements or interviews are required, these will be compliant with the process set out in the 'Disciplinary Procedure Policy'. It will reach a conclusion within a reasonable timescale (which HFRS will notify you of), and a report will be produced that identifies any issues to prevent problems recurring.

## **Communicating with you**

We will always treat you with respect 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 how to keep you up to date with its progress.

## **How we learn from your speaking up**

We want speaking up to improve the services we provide for communities and the environment our staff work in. Where improvements are identified, 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.

There is a quarterly review meeting between the Guardian and Executive Director of People and Development which undertakes reviews of processes and resolution of

concerns raised, escalating any serious concerns which may not have been initially raised.

SLT will be given summary information on a quarterly basis about issues that our workers have spoken up about through this policy, and what we are doing to address any problems. We will include similar high-level information in our annual report. FTSU is fully endorsed by SLT, and they will be kept apprised of themes/trends and patterns in relation to concerns raised.

## **7. CONCERNS RAISED ANONYMOUSLY AND CONFIDENTIALITY**

Concerns raised with the Freedom to Speak Up Guardian will be treated in confidence unless there is an identifiable safeguarding concern or criminal activity.

HFRS encourage employees to disclose their names when raising concerns. Concerns expressed anonymously are often more difficult to investigate or substantiate. Feedback cannot be provided without contact details.

In considering whether to investigate anonymous allegations, particular consideration will be given to:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of substantiation from other sources.
- The ability to discover the facts; and
- The justification for maintaining anonymity.

## **8. CONFIDENTIALITY**

HFRS will treat all disclosures in a confidential and sensitive manner. The identity of the individual may be kept confidential provided this does not hinder or frustrate any investigation. However, there will be occasions where the identity of the individual needs to be revealed; examples of these include safeguarding, bringing the Service into disrepute or where the individual is required to give a witness statement or give evidence at a formal hearing into allegations of misconduct or criminal activity.

## **9. DOCUMENT STORAGE & RETENTION**

Concerns raised will be stored confidentially and only accessible by the Guardian and the designated member of SLT (Executive Director of People & Development).

Concerns raised will be stored in line the Service's Retention Schedule.

## **10. UNSUBSTANTIATED ALLEGATIONS**

If allegations are made in good faith, but are not confirmed by the investigation, no action will be taken against the complainant. If, however, malicious, vexatious, mischievous, or reckless allegations are made then disciplinary action may be taken. Support will be provided for the victim of the malicious allegation through line management, HR or OH or other support routes open to employees.



## **11. CONCERN REGARDING THE CHIEF FIRE OFFICER**

Where a concern is raised about the Chief Fire Officer the complaint will be escalated to the Fire Authority.

## **12. ROLES AND RESPONSIBILITIES**

As part of this policy the following groups have a responsibility to participate in the process.

### **Employees:**

- Speaking up as early as possible, and in line with this policy, if they have a concern.

### **Managers:**

- Encouraging a climate of openness in which workers are comfortable to speak up in the knowledge that this will be handled promptly and in an appropriate manner.
- Listening to concerns, taking them seriously, ensuring they are escalated appropriately and dealt with thoroughly, fairly, and promptly.
- Maintaining confidentiality and providing support to workers raising concerns.
- Ensuring staff are aware of this policy and are including information on Freedom to Speak up in local induction materials.
- Encouraging staff to speak to them in confidence, maintaining confidentiality and providing support to staff speaking up. Communicating regularly with those speaking up.
- Addressing minor concerns quickly and reporting major concerns to appropriate senior management promptly for action.
- Communicating regularly with the person speaking up and advising them of progress.
- Seeking advice where appropriate, escalating issues and engaging the support of a Freedom to Speak up Guardian where required.

### **FTSU Guardian is responsible for:**

- Supporting staff to raise their concerns.
- Acting as an independent and impartial source of advice to staff through listening to issues raised, and agreeing with the colleague speaking up, what might be the appropriate action to take.
- Liaising with relevant management colleagues to discuss the concern and what appropriate action managerial colleagues will take.
- Providing feedback to the person who has spoken up to tell them what action is being taken, and what the result of any investigation is.

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- Liaising with the National Guardian's Office, taking advice and guidance on best practice.

**Human Resources are responsible for:**

- Providing guidance to ensure policy is implemented in line with other policies.

**If any further guidance/information is required in relation to this policy, please contact Occupational Health & Wellbeing.**

## APPENDIX A: PROCESS CHART

### We will:

- Thank you for speaking up.
- Help identify options for resolution.
- Signpost to Occupational Health & Wellbeing resources.

### Steps towards resolution:

- Engagement with appropriate senior managers
- Refer to HR process.
- Refer to other relevant policies and procedures.

### Outcomes:

- Recorded
- Referral to another HR process
- Shared where possible and appropriate.
- Learning and improvement identified

**Raising a concern under this Policy is not an alternative to other HFA policies or to be used as a mechanism for appealing against the outcome of other procedure.**