



ST MARTINS MEDICAL CENTRE

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Website: <https://www.stmartinsmedicalcentre.co.uk/>

Freedom to Speak Up Policy and Procedure

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1 Introduction

1.1 Policy statement

St. Martins Medical Centre is required to adopt the national [Freedom to Speak Up policy for the NHS](#) as a minimum standard to help to normalise speaking up for the benefit of patients and workers. This is so staff know how to speak up and what will happen when they do.

Freedom to speak up is about encouraging a positive culture where people feel they can speak up, their voices will be heard, and their concerns and suggestions acted on without retribution. The content and guidance within this policy have been extracted from the [Freedom to Speak Up Policy for the NHS](#).

Further reading can be found in the CQC's [GP mythbuster No 87: Freedom to speak up](#).

1.2 Status

The organisation aims to design and implement policies and procedures that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the [Equality Act 2010](#). Consideration has been given to the impact this policy might have regarding the individual protected characteristics of those to whom it applies.

This document and any procedures contained within it are non-contractual and may be modified or withdrawn at any time. For the avoidance of doubt, it does not form part of your contract of employment. Furthermore, this document applies to all employees of the organisation and other individuals performing functions in relation to the practice such as agency workers, locums and contractors.

2 Speaking up

2.1 Speak up – we will listen

As an organisation, we welcome speaking up and we will listen. By speaking up staff will be playing a vital role in helping this organisation to keep improving our services for all patients and the working environment for the team.



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This policy applies to all staff. The [NHS People Promise](#) commits to ensuring that “we each have a voice that counts, that we all feel safe and confident to speak up, and take the time to really listen to understand the hopes and fears that lie behind the words.”

This organisation wants to hear about any concerns staff have. We understand some of our workforce may feel they are seldom heard or are reluctant to speak up. We also know that those with disabilities, or those from BAME or LGBTIQ+ communities do not always feel able to speak up; we want to hear all our team members’ concerns.

Staff are required to complete the relevant eLearning available in the [HUB](#):



[Whistleblowing](#) and [Whistleblowing “Listening Well” – A Manager’s Guide](#)

2.2 What can I speak up about?

At this organisation staff can speak up about anything that gets in the way of patient care or affects their work. It could be something which doesn’t feel right: for example, a way of working or a process that isn’t being followed; staff feeling they are being discriminated against; or staff feeling that the behaviours of others is affecting their wellbeing, or that of their colleagues and patients.

Speaking up captures a range of issues, some of which may be appropriate for other existing process (i.e., HR, disciplinary, patient safety), but as an organisation we will listen to and work with our staff to identify the most appropriate way of responding to the issue(s) raised.

2.3 Feeling safe when speaking up?

Speaking up helps this organisation identify opportunities for improvement that the organisation might not otherwise know about. This organisation will not tolerate anyone being prevented or deterred from speaking up, or being mistreated because they have spoken up.

2.4 Who can speak up

Any member of the team at this organisation can speak up. This encompasses healthcare professionals, non-clinical workers, receptionists, managers, volunteers, students, trainees, locums, bank/agency staff, those employed by the PCN in ARRS roles and any former workers.



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2.5 Making a protected disclosure

A protected disclosure is defined in the Public Interest Disclosure Act 1998. This legislation allows certain categories of worker to lodge a claim for compensation with an employment tribunal if they suffer because 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.

3 Reporting a concern

3.1 Speaking up internally

Most speaking up happens through conversations with supervisors and line managers where challenges are raised and resolved quickly. This organisation strives for a culture where that is normal, everyday practice and we encourage our staff to explore this option; it may well be the easiest and simplest way of resolving matters.

However, should a staff member not feel this is appropriate, they may wish to raise their concerns with the following:

- The organisation leads, managing director or a partner
- The organisation's Freedom to Speak Up guardian (see Annex A for details)
- The local Freedom to Speak Up guardian (if different from above, see Annex A for details)
- [NHS Counter Fraud Authority](#) (CFA) for concerns relating to fraud

The Freedom to Speak Up (FTSU) guardian will ensure that individuals who speak up are thanked for doing so, that the issues raised are responded to, and that the person speaking up receives feedback on the actions taken. Detailed information about the role of the FTSU can be [accessed here](#).

3.2 Speaking up externally

Should a member of the team not wish to speak to someone within this organisation, they can speak up externally to:

- [The Care Quality Commission](#) (CQC) for quality and safety concerns
- [NHS England](#)

Should NHS England decided to investigate a concern raised by a member of the team, they may ask this organisation or another appropriate organisation to investigate and/or use the



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information provided to inform their oversight of the relevant organisation. The precise action they take will depend on the nature of the individual's concern(s).

Staff must note that neither the CQC nor NHS England can get involved in individual employment matters, such as a concern from an individual about being bullied.

If a staff member at this organisation wishes to speak up about the conduct of a clinical member of staff, they are requested to do so with the organisation manager in the first instance. It may be then deemed appropriate to raise concerns with the relevant professional body.

3.3 How to speak up

At this organisation, staff can speak up in person, by phone or by email. The most important aspect of speaking up is the information provided, not the reporter's identity. Staff can speak up in the following ways:

- **Openly:** Staff are happy that the person they speak up to knows their identity and that they can share this with anyone else involved in responding
- **Confidentially:** Staff are happy to reveal their identity to the person they choose to speak up to on the condition that this information will not be shared without their consent
- **Anonymously:** Staff do not want to reveal their identity to anyone. This can make it difficult for others to ascertain additional information and more complicated to resolve the issue. It also means staff may not be able to access any additional support they may need or receive feedback on the outcome.

All staff should be ready to explain as fully as they can the information and circumstances that prompted them to speak up.

3.4 Advice and support

The following links offer detailed advice and support for staff about speaking up:

- [Speak Up Support Scheme](#)
- [Speak Up Direct](#)
- [Protect](#)

3.5 What will we do

If a staff member is speaking up about something that does not fall into an HR or patient safety incident process, this policy ensures the matter is still addressed.



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Resolution and investigation: This organisation will support managers/supervisors to listen to staff who raise concerns and take action to resolve matters wherever possible. In most cases it is important that this opportunity is fully explored.

Where an investigation is needed, this will be objective and conducted by someone who is suitably independent and trained in investigations. It will reach a conclusion within a reasonable timescale, and a report will be produced that identifies any issues to prevent problems recurring.

Communication: The reporter will be treated with respect at all times and thanked for speaking up. The issues raised will be discussed to ensure the organisation fully understands what the individual is concerned about. If the organisation decides to investigate, the reporter will be advised how long the investigation is likely to take and be kept up to date with its progress. Wherever possible, a full investigation report will be shared (whilst 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 the reporter).

How we learn from speaking up: This organisation wants speaking up to improve the services provided and the working environment for staff. Where improvements are identified, the organisation will ensure the necessary changes are made, and are working effectively.

Review: This organisation will seek feedback from our staff about their experiences of speaking up, and will review the effectiveness of this policy on an annual basis, and the findings will be shared accordingly.

4 Reflection and planning

4.1 Reflection and planning tool

In tandem with the National Guardian, NHS England advocates the completion of [a reflection and planning tool](#) at least every two years which is designed to help to identify strengths and any gaps that need to be addressed.

The self-reflection tool is set out in three stages:

1	Reflection statements under the eight recognised principles.
2	Summary of the high level actions the organisation will take over the next 6 to 24 months to develop Freedom to Speak Up arrangements.



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3	Summary of the high-level actions the organisation needs to take to share and promote its strengths.
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5 Additional guidance

5.1 Guidance for leaders and managers

The National Guardian has produced [Freedom to Speak Up: A guide for leaders in the NHS and organisations delivering NHS services](#) which can be used by leaders and managers at this organisation to support the speaking up process.



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Annex A – Freedom to Speak Up guardian details

The FTSU guardian at this organisation is:

Name	Dr Anil Raj/Pooja Kalra
Role	Principal GP/Managing Director
Contact details	07956984825/01895632410

The local FTSU guardian is:

Name	
Role	
Email address	NHS England » Speaking Up Support Scheme
Telephone number	
Address	<p>5.2 HOW TO SPEAK UP?</p> <p>Email nwl.speakupguardian@nhs.net with your concern or query and you will be matched with a guardian. Note that conversations remain confidential, and we will work with you to support decisions pertaining to next steps you may wish to take.</p> <p>How can I access the service: If you have a concern or query email nwl.speakupguardian@nhs.net to be matched with a guardian. You can also submit your concern or query here.</p>