

Sir Robert Francis CQC
Freedom to speak up review
Room 305A
Skipton House
London
SE1 6LH

22 September 2014

Dear Sir Robert

I am very grateful to you for leading the 'Freedom to speak up' review and very much look forward to seeing your conclusions when you report later in the year. I am writing as requested to make a contribution to your deliberations.

The first point I would want to emphasise is that while of course not every whistleblower will 'get it right', whistleblowers do the NHS a service and need to be properly protected. It is clear to me from my interaction with whistleblowers over the last few months that too often, employees who raise concerns about NHS services do so at great personal cost. Your review is therefore very timely and I hope it will have a very positive impact.

We need to develop a culture in the NHS where employees are actively encouraged to raise concerns and are supported when doing so. I recognise that this will take some time to achieve consistently across the service. However, there are examples of good practice across the country and I hope that your review might draw attention to these and encourage spread across the whole of the NHS. All NHS organisations need to encourage openness and transparency and be competent in responding to concerns raised by employees.

It appears that in some instances, individuals who raise legitimate concerns about patient services become embroiled in disciplinary proceedings with their employers. It seems important that a mechanism is found which enables their concerns to be investigated promptly and independently from any disciplinary process. I recognise that this is a complex issue but I hope you will be able to give consideration as to how this might be achieved.

Finally, a word on the role of NHS England. I am committed to developing an open culture in NHS England, where staff feel able to raise concerns. We are a young organisation and there is still much to do in this arena. As a commissioning organisation, we have a close interest in the quality of services

delivered by NHS providers, but we are probably not ourselves well placed to respond to concerns raised by individual employees of provider organisations. Instead I would suggest that consideration is given to a new ombudsman-type service available to whistleblowers, and providing a 'safe harbour' for consideration of the concerns they may raise.

I hope these comments are helpful and I very much look forward to your report.

Yours sincerely *with wishes*

Simon

Simon Stevens
CEO, NHS England