

From: Adrian Hughes, Deputy Chief Inspector, Southern Region and Registration Adult Social Care Directorate

Date:

To: Barry Stanley-Wilkinson

Cc:

Subject:

Dear Barry

I am really sorry we did not get to speak on Monday, ...

Emails are not a substitute for feedback and I am sure we both would have preferred to speak, but as this is not possible I thought I should let you know some of the key outcomes of the investigation.

In looking into the concerns raised I did not find a systemic culture of bullying within the team. I did however, identify that in a fast paced, changing organisation which was developing some policy and methodology simultaneously with delivering inspections was at times stressful and confusing for some of the team. You have always graciously acknowledged that you did not believe there was any malicious intent by local managers. In my discussions with managers, they were open that if you or anyone felt anything less than being valued that was never their intention.

The investigation made a number of recommendations based on my findings and Paul Lelliot, on behalf of the directorate, and in agreement with xxx, accepted the recommendations and has already acted on them. This includes some immediate action, for example to publish the Whorlton Hall Hospital report, although this had already been picked up before the publication of my findings. Paul and his team are also using the recommendations to secure long term learning and improvement and this includes reinforcing the message around the detailed planning in advance of the site visit for a focused re-inspection - which KLOEs will be assessed and which, if any, ratings will be reviewed as a result of the inspection. In addition there are plans in place to revisit the guidance about the minimum amount of assessment activity that must be undertaken to result in a review of the rating following a focused re inspection of a service that has been rated previously.

The plan was that I would give you feedback and then Paul would write to you. I am genuinely sorry I was unable to do this – caused solely by my imminent departure - but if you would still find that helpful, may I suggest you contact xxx in the first instance. In conclusion I think you should know that we valued you raising the concerns. Ideally we would like colleagues to feel safe and confident to raise concerns at the time, but appreciate that for a variety of reasons this is not always possible. Although the thrust of our new Speak Up policy is just that **"We want all who work for the CQC to feel that they can safely speak up and raise concerns about how we do our work. We should all welcome and support each other in speaking up in this way because it is the right thing for us individually and collectively and will make CQC better in performing its obligations to patients and the public"**. To help this come alive we are committed to appointing a Speak Up Guardian. The CQC Guardian

appointed from within the head of and director community would be a different role envisaged for NHS Trusts where the primary focus is on safety. The CQC role will play a key role in promoting the culture and behaviours needed to support an open culture. The ET and leadership teams across CQC are committed to making this happen.

I trust this brief summary is helpful and would like to take the time to thank you for raising the concerns thereby allowing us to critically look at what we do and to learn from it. I should also like to wish you the very best for the future, both in your new employment and ...

Regards
Adrian

Adrian Hughes, Deputy Chief Inspector, Southern Region and Registration Adult Social Care Directorate

From: BARRY WILKINSON

Sent:

To: Adrian Hughes, Deputy Chief Inspector, Southern Region and Registration Adult Social Care Directorate

Subject:

Hi Adrian

I can't do 11am today.... Anytime next Monday is fine.

Also I have some inspection notes still. Can you advise xxx I will drop them into the Newcastle office tomorrow.

Many thanks

Barry

Adrian Hughes, Deputy Chief Inspector, Southern Region and Registration Adult Social Care Directorate

Dear Barry

That's great – lets for 11:00, but if it doesn't work nearer the time just drop a note to my PA and they will reschedule.

Regards

Adrian

Adrian Hughes, Deputy Chief Inspector, Southern Region and Registration Adult Social Care Directorate

From: BARRY WILKINSON

Sent:

To: Adrian Hughes, Deputy Chief Inspector, Southern Region and
Registration Adult Social Care Directorate

Subject

Hi Adrian
Lets do the 4th

Thanks

Barry

From: Adrian Hughes, Deputy Chief Inspector, Southern Region and
Registration Adult Social Care Directorate

To: Barry Stanley-Wilkinson

Subject:

Date:

Dear Barry

Many thanks – if it's with you, I'll leave it until I am back; Let me have a number
to suit you on 1 April or 4 April.

Regards

Adrian

Adrian Hughes, Deputy Chief Inspector, Southern Region and Registration
Adult Social Care Directorate

From: BARRY WILKINSON

Sent:

To: Adrian Hughes, Deputy Chief Inspector, Southern Region and
Registration Adult Social Care Directorate

Subject:

Thanks Adrian

I should be around today between 12-1pm

If not we can talk when you get back.

Regards

Barry

From: Adrian Hughes, Deputy Chief Inspector, Southern Region and
Registration Adult Social Care Directorate

TO: Barry

Subject:

Date:

Dear Barry

I have now concluded the investigation and should be pleased to give you
feedback, if that would be helpful.

...My timeframes are a) to speak with you tomorrow or b) sometime after 1 April
2016. Not sure if this will work for you – if so, give me a number on which to
call. If it doesn't work for you let me know and I will speak with xxx as to how
we can make sure you are updated.

...

Speak soon, regards

Adrian

Adrian Hughes, Deputy Chief Inspector, Southern Region and Registration
Adult Social Care Directorate

From: Stanley-Wilkinson, Barry
Sent: 26 January 2016 13:53
To:
Cc:
Subject: Whistleblowing Concerns

Dear ...

Following our conversation this morning. I have copied in HR (for leaving advice) and xxx for information.

After reviewing our whistleblowing policy, I believe it is within CQC's interests that they are aware of exactly what practice is happening within the North East Mental Health directorate team. I am raising these issues in strict confidence. It has taken a lot of courage for me to feel able to come forward and speak out, and I know many people in the directorate (inspectors) feel we work in a bullying, hostile environment. Unfortunately prior to Christmas I was made to feel so worthless by this directorate I had a period of sick leave for 4 weeks. I have since gained employment elsewhere and after almost 9 years of working at CSCI/CQC I am leaving. My reasons are very simple the culture is only what can be described as toxic and that makes me very sad as I have always loved and enjoyed working here.

The issues I want to raise with you are:-

- -serious concerns identified whilst inspecting Tees esk and Wear Valleys NHS (Inpatient LD wards) was not included in the reports because the HOI said they were not getting into "political arguments". The issues that we identified was that we were told during interviews with psychiatrists that patients were being detained in hospital under MHA because commissioners had failed to identify placements for people. Some people had been their many years and I felt this was a potential argument for breaches in people's human rights which we were not reporting or considering. This fails in our duty to protect people.

- Methodology being undermined and also manipulated which could result in legal action against CQC so as a Judicial review and a claim for damages. This relates to Waterloo Manor report. I feel CQC has contributed to the safety issues of patients because a continued rating of inadequate is not allowing the business to recruit good nurses and they are not able to implement further resources. The service had significantly improved and should in line with our methodology be re-rated. The service has complained and I believe that this should be looked into by a senior manager within CQC as I don't think xxx, the IM, is the right person to be dealing with this given the seriousness of the issues. YYY should be spoken to about this also as they were the IM. Also ZZZ, as they were on the SQAG and will verify that a decision had been made prior to any consultation with the IM or Inspector the service was not going to be re-rated. The reason being not all KLOES were looked at. Almost all were looked at and the methodology is clear that to re-rate an inspection the inspector is not required to look at every KLOE. The practices adopted are very poor judgements in my opinion and we certainly have not acted in a fair and transparent way.

- Inspection reports not being published despite significant findings that compromised the safety, care and welfare of patients. Whorlton Hall hospital (service for people with learning disabilities). The CQC National Professional Advisor was part of this inspection and they too were very concerned regarding our findings. I am concerned about the relationship managers have had with the service in that they are all familiar with the provider. Discussions had taken place without my involvement despite me being the inspector. I was told the reason for the report not being published is that following meetings and action plans it was clear the service had improved. I was also told the complaint that was made about the inspection team made things difficult, and with me being off sick for a month the quality of the report was not there. I sincerely disagree with this and I am horrified given this service was previously owned by Castlebeck we are not reporting our findings. I encourage you to read the draft report. I don't believe that this is CQC acting on the side of service users or acting with integrity.

- Inspectors and SPA's being undermined at Cumbria NHS inspection despite serious failings being identified We found the service to be inadequate and 4 areas.

This not being reflected in the community learning disability team reports because we were told by the HOI "the DOH would not be happy as this was identified as a fast track site". The HOI and IM leading visited the team looked through notes and told us they disagreed with our findings despite neither of them having any professional background specifically in LD. We had SPA's and myself who has a post-graduate degree in Autism and complex LD stating this service was completely disgraceful. It worries me greatly that people using this service are getting very poor care and this is not being reported accurately. The lead inspector was not allowed to go back to this service for further evidence gathering despite stating this was what was required.

- -Complaints being handled completely inappropriately.- This again relates to Whorlton Hall. A complaint was made I was never interviewed other than a 5 minute conversation. I was never shown a copy of the complaint. I have serious concerns regarding how this was responded to as much of it is lies or a fabrication of the truth. I have attached the complaint.

- -Staff feeling bullied and leaving as a consequence. It's not for me to raise concerns for other people but this seriously needs looked into. I have attached a copy of an e-mail I sent following an SQAG to give an example of how I was left feeling.

- I have also attached for you my return to work so you can see what a lack of support there was prior to me going sick.

It's sad that as an organisation we measure others on how safe staff feel to whistleblow. Like many others in our directorate I don't feel safe but I feel more confident since I am leaving the organisation. For almost 9 years I have been so happy working here but the last year of my life has been miserable as a consequence of the directorate in which I have worked. I am not raising these issues because I want to cause trouble or leave a trail of destruction, I am raising these issues because I believe something serious could happen which will put CQC under the spotlight and I also believe core values of our organisation are not being followed.

I know I have just given you a list of issues and I am aware you will want to speak with me further. I do have all the information you require but as I said earlier I need to be assured this information is going to be treated in the strictest of confidence until I have left.

...

...As I said to you earlier I want out ASAP before you start speaking and investigating as I know this would cause me a great deal of upset and distress. It's very hard decision to bring this to your attention but it is the right thing to do and I strongly believe in the values and principles of CQC and without speaking up it would be wrong.

Regards