

LETTER TO HARRY REILLY CHAIR UNIVERSITY HOSPITALS BIRMINGHAM NHS
FOUNDATION TRUST RE FPPR 6 JUNE 2022

Dear Harry,

A concern about conflict of interest in the trust's FPPR process, in respect of Professor Jon Glasby's role, and transparency about the trust's FPPR investigation

Thank you very much for your attached response today to my concerns and questions about the trust FPPR process, and my request for information about the FPPR process in David Rosser's case.

1. In your letter, the trust FOI response maintains that there were no conflicts of interest in the trust's FPPR process:

"No conflicts of interest known".

However, I was concerned to see that Professor Jon Glasby trust non executive director assisted Jacqui Smith the former trust chair in her deliberations over the FPPR investigation by Berit Reglar and James Gutteridge. The trust described Professor Glasby's involvement thus:

"Support to Chair re oversight of review and consideration of its findings and recommendations"

I am concerned because Professor Glasby had previously acted as MHPS Designated Board Member, and he therefore helped to oversee Mr Tristan Reuser's suspension and the trust's disciplinary process which led to Mr Reuser's unfair dismissal, which was later criticised by the Employment Tribunal.

For Professor Glasby to then assist in the adjudication of the FPPR investigation into David Rosser and his detrimental actions against Mr Reuser, would seem to me to be a conflict of interest.

Moreover, the trust maintains in its response to me that its FPPR process had "due regard" for the guidance from NHS Providers.

NHS Providers' guidance defines independence as amongst other things,

"someone who is detached from the matter".

I do not think that could be said of Jon Glasby in the context of him assisting the chair to adjudicate on the FPPR review into David Rosser, after he had worked with David Rosser in managing the trust's disciplinary action against Mr Reuser.

Does the trust agree with my concern that there was a conflict of interest in Professor Glasby being part of the FPPR decision making process?

2. NHS Providers' guidance emphasises the importance of ensuring public confidence and it advises that the summarised findings and outcome of an FPPR investigation should be published.

" However, the findings and outcome of the investigation should be properly open and transparent. This may include publishing a summary of the findings and outcome of the investigation as soon as it is appropriate and practicable."

I have not seen such a summary published by the trust. Could you kindly point me to where a summary has been published, or if a summary has not been published by the trust, does the trust now intend to publish such a summary of the FPPR investigation for the sake of accountability and retaining public confidence?

Many thanks,

Minh

Dr Minh Alexander