

From: National Guardian's Office
Sent: Tuesday, October 17, 2017 4:54 PM
To: Helen
Subject: RE: CQC audit on whistleblowing issues

Dear Helen,

Thank you for your email.

We are sorry that you cannot be included at this point.

At present, the advisory working group includes members with whistleblowing expertise.

Membership of the group is time-limited and therefore other individuals will have an opportunity to join it in future.

Kind regards,

National Guardian's Office
151 Buckingham Palace Road | London | SW1W 9SZ



From: Helen Rochester [*****]
Sent: 14 October 2017 09:08
To: National Guardian's Office; Minh Alexander
Cc: Hughes, Henrietta
Subject: Re: CQC audit on whistleblowing issues
Importance: High

Dear Vershela

Thank you for your swift email response.

This is a shame as I believe I could have made a useful contribution to this group. I have relevant experience and it seems adult social care is only represented by one person to date.

I didn't get the invitation re this event which I understand was sent out in August to people who had been in contact with the CQC on whistleblowing. In fact if it was not for Dr Alexander making me aware of this on Tuesday 10th October I still would not be.

I've been in contact with the CQC since April this year and before almost five years ago.

Obviously my non inclusion was an admin oversight by the CQC. It is disappointing when these get in the way of somebody being able to contribute to what appears to be a refreshing new approach to whistle blowing issues by the CQC/national guardian office.

Kind regards

Helen Rochester.

From: Minh Alexander
Sent: Friday, October 13, 2017 4:50 PM
To: National Guardian
Cc: Hughes, Henrietta ; Helen
Subject: CQC audit on whistleblowing issues

Thanks for copying me in Vershela.

This is disappointing news.

This is the context that the opportunity was not well advertised.

Helen is also substantially preoccupied with a current case, which includes an ET claim against the National Guardian's employer, the Care Quality Commission.

This relates to serious CQC failure and complicity in Helen being referred to the Disclosure and Barring Service as an act of whistleblower reprisal.

I would have hoped that as a gesture of openness and accountability, the National Guardian's Office would have made a special point of accepting her request, particularly as I get the impression that everyone and his extended family has so far been accepted.

I would be really grateful if this decision could be reconsidered.

Many thanks,

Minh

Dr Minh Alexander

cc Dr Henrietta Hughes National Guardian

From: National Guardian's Office <enquiries@nationalguardianoffice.org.uk>

Subject: RE: CQC audit on whistleblowing issues

Date: 13 October 2017 at 14:19:51 BST

To: Helen <*****>

Cc: National Guardian's Office <enquiries@nationalguardianoffice.org.uk> Minh Alexander<*****>

Dear Helen,

We are very sorry, but unfortunately, the deadline for Expressions of Interest to join the Advisory Work Group closed on the 25 August. Members of the group are only invited to join for 1 year. After which time we will again ask for Expressions of Interest. We will keep your name on our database and we will send you a link to view the outputs of the meetings.

We are grateful for your interest.

Kind Regards,

Vershela Devchand
Team Admin Assistant
National Guardian's Office
151 Buckingham Palace Road | London | SW1W 9SZ

National Guardian
Freedom to Speak Up

From: Helen Rochester [*****]

Sent: 13 October 2017 10:45

To: National Guardian's Office

Cc: Minh Alexander; National Guardian's Office

Subject: Re: CQC audit on whistleblowing issues

Importance: High

Dear Vershela

Thank you for your acknowledgement.

I understand from Dr Alexander that you have an event happening on the 3rd November in relation to whistleblowing issues. The care home sector appears to have one representative attending at this time yet this is the sector the CQC get most of their whistleblowing contacts from.

I come from the care home sector and have first hand experience of what happens when the CQC fail to act on whistleblowing concerns. I believe I have the "expert by experience" knowledge to make positive suggestions on how to improve moving forwards.

I would like to attend this event if possible.

Kind regards

Helen Rochester

From: [National Guardian's Office](#)
Sent: Thursday, October 12, 2017 9:49 AM
To: Helen Rochester
Cc: [Minh Alexander](#) ; [National Guardian's Office](#)
Subject: RE: CQC audit on whistleblowing issues

Dear Helen,

Thank you for your email dated the 10th October 2017 to Dr Henrietta Hughes.

You will receive a response in due course.

Thank you.

Kind Regards,

Vershela Devchand
Team Admin Assistant
National Guardian's Office
151 Buckingham Palace Road | London | SW1W 9SZ

National Guardian
Freedom to Speak Up

From: [Minh Alexander](#)
Sent: Tuesday, October 10, 2017 12:28 PM
To: [Helen](#)
Cc: [Hughes, Henrietta](#) ; [National Guardian](#)
Subject: CQC audit on whistleblowing issues

Thanks for copying me in Helen.

1) It occurs to me that as Dr Hughes recently advertised for expressions of interest in her advisory group and to my knowledge has accepted a large number of whistleblowers for an initial meeting in London on 3 November, including at least one social care (care home) whistleblower, that might be another forum in which some additional 'expert by experience' input from those with the most direct experience of CQ failure would be valuable.

I wouldn't presume that this is something you would wish to take part in, but I wonder if you would.

I should say however that I am not aware if Dr Hughes proposes to pay whistleblowers who provide input into her Advisory Group the equivalent of CQC's expert by experience rates for their time. My understanding at present is that only travel expenses are offered. This has been queried by some.

2) I share the concern that the issue of audit of CQC's compliance with its own policy of whistleblower confidentiality remains unresolved. As far as I see it, there is only an intention to consider the issue, but CQC has refused to audit and the National Guardian's office has not taken a clear position on this refusal.

BW

Minh

Minh Alexander

From: Helen []
Sent: 10 October 2017 11:46
To: National Guardian's Office
Cc: Minh Alexander
Subject: CQC audit on whistleblowing issues
Importance: High

Dear Dr Hughes

Please see attached.

Kind regards

Helen Rochester.

Dr Henrietta Hughes
National Guardian
C/O Care Quality Commission

10th October 2017

Sent by email

Dear Dr Hughes

I have just seen your response to Dr Minh Alexander dated 9th October 2017.

As I understand it you were asked when your employer, the Care Quality commission (CQC), were going to audit their own policies and performance re whistleblowing confidentiality and reprisals against whistle blowers. Your response, which is evasive and worthy of a politician, amounts to sometime never.

I am one of many people affected by this issue and one of the 47 quoted by compassion in care that Andrea Sutcliffe has demanded proof on. In 2013 CQC breached my confidentiality by discussing my disclosures and employment tribunal case with the employer whilst ignoring the massive safety issues in the home. When inspectors finally did get themselves up there nine months later they took enforcement action under three of the care domains and all related to the concerns I had originally raised. During that time your organisation left 64 vulnerable adults at risk.

More recently I have been on the receiving end of the CQC being complicit in reprisal against a whistle blower less than 24 hours after receiving a written report. It then takes the CQC a further 3 months to turn up at this home and only then when I confront the CQC board. They then open their report saying they are responding to concerns and gloss over most of these with “we were told” by the provider. They ignore the fact there is still a call bell system that is unfit for purpose at night, still only two staff on duty at night for 34 residents when they already have at least one section 28 warning saying two is not safe for 24, and do not answer their own question re how only two staff can respond to any emergency situation. That is just a snap shot of what they ignored and then rate the home safe and good throughout.

There is a sorry trail of failed and sometimes dead vulnerable people in the press over recent years of when the CQC fail to act on concerns raised by employees and place too much emphasis on “the provider says”.

Employees come to the prescribed authority expecting them to do more than rely on the provider, just file concerns for future inspections and discuss the the whistle blower with the employer. However when the prescribed authority then joins the employer in targeting the whistle blower **before** they raise a safeguarding alert that deters people from coming to you at all.

I would never raise another concern to the CQC again or would I advise anyone else to.

However going forwards I note you tell Dr Alexander you are “exploring” how whistleblowing might be more incorporated into your safeguarding committee and how this might happen. There does not appear to be any urgency on this. You are meeting over the next few weeks to discuss timetables but not any meaningful action like an audit of CQC performance in this very important matter.

If you want to improve on this matter then you need an audit to see how much you need to improve on. I would also point out that if an inspector were told by the the organisation they were inspecting nobody had audited the effectiveness of their policies for four years and had no intention of doing so anytime soon they would probably be issued with a warning and rated as inadequate by the CQC.

In my humble opinion it is high time the CQC put their own glass house in order before they throw stones at others when sitting in judgement.

I am not expecting you to respond to me as individually I am a live case at present but at some point it will become historic and you do not deal with either live or historic cases if my understanding is correct. However perhaps you might wish to take on board the following suggestion?

As you will be aware the CQC are very keen to use "experts by experience". I'm sure you would find no shortage of these among whistle blowers who have lost their jobs, been referred to other regulators and talked about to employers by CQC inspectors. These are the best people to tell the CQC where and how they could improve.

Just a thought from someone who has been on the receiving end of CQC failings and has witnessed first hand the plight of vulnerable adults being ignored when your employer gets it so very wrong.

Yours sincerely

Helen Rochester
Former nurse and care home whistle blower.