

Dr Minh Alexander

By email: [minhalexander@aol.com](mailto:minhalexander@aol.com)

20 April 2017

Dear Dr Alexander,

Thank you for your email of 12 March 2017, in response to the joint letter of 9 March 2017 sent on behalf of myself, Simon Stevens, Chief Executive, NHS England and Jim Mackey, Chief Executive, NHS Improvement.

In my response of 9 March 2017 I sought to explain that the NGO acts independently of CQC in carrying out its functions. I also explained both the response to the consultation exercise 'The National Guardian for the NHS – Improvement through openness' (May 2016) and the month-long listening process which were both undertaken by the NGO to obtain ideas on the case review process.

The Draft case review proposals and a summary of the feedback received during the listening exercise was considered by the NGO's Accountability and Liaison Board at its meeting on 16 March 2017. The case review process is currently being finalised and will then be piloted. It will be subject to review as learning on how the process works in practice is accumulated.

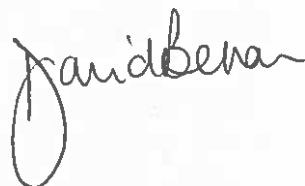
In your further email you ask whether the National Guardian's Office (NGO) will implement Sir Robert Francis' recommendation and *"challenge or invite others to look into cases which did not appear to have been handled in line with good practice or where it appeared that a person raising a concern had experienced detriment as a result of raising the concern."*

In answer to your query I can confirm that the NGO will implement this recommendation. This is what the case review process the NGO will shortly launch is designed to do. The case review process will include an assessment of how well or badly a case has been handled, recommendations will be made as to how any shortcomings could be addressed, and the actions taken to address these shortcomings will be monitored.

The case review reports that the NGO produces will be published openly. I hope you can accept that this represents a robust 'challenge' to employers whilst also promoting wider learning from any shortcomings or elements of good practice that case reviews highlight.

I hope this response provides you with the clarity that you are seeking on the role of the NGO in reviewing cases.

Yours sincerely,

A handwritten signature in black ink that reads "David Behan". The signature is written in a cursive style with a large, looped initial 'D'.

**Sir David Behan CBE**  
**Chief Executive**

Cc Simon Stevens, Chief Executive, NHSE  
Jim Mackey, Chief Executive, NHSI  
Dr Henrietta Hughes, National Freedom to Speak Up Guardian