

From: Minh Alexander <*****>

Subject: NHS Improvement's consent documentation for the whistleblower employment support scheme

Date: 26 February 2018 at 11:11:46 GMT

To: "WEBSTER, Wendy (NHS IMPROVEMENT - T1520)"

<*****>

Cc: "GRIMES, Tom (NHS IMPROVEMENT - T1520)" <*****>,

"ROBSON, Maria (NHS IMPROVEMENT - T1520)" <*****>,

"RUSSELL, Steve (NHS IMPROVEMENT - T1520)" <*****>,

"CHURCHILL, Neil (NHS ENGLAND)" <*****>, Daz Greenop

<*****>, "researchethics@ljmu.ac.uk"

<researchethics@ljmu.ac.uk>, Raphaela Kane <*****>,

"HARDING, Dido (NHS IMPROVEMENT - T1520)" <*****>

Thank for your response Wendy.

The minutes of the meeting of 19 January 2018 to which you refer were anonymised and I did not attend that meeting, I had no idea that the meeting minutes referred to me specifically. In fact, the minutes are written as if they are comments by someone who attended the meeting, when my comments had not been made in that meeting.

I do not think that an elementary matter of research ethics can be glossed over simply on the strength of any majority vote, or absence of objection from people who are forced to comply with NHS Improvement's requirements because the regulator is the gatekeeper to much needed help with return to employment.

Several whistleblowers on the NHS employment support scheme have expressed general concerns that they are not free to voice objections in case this damages their prospects and curtails the help offered.

If NHS Improvement's consent paperwork is wrong, it is wrong.

If NHS Improvement does not withdraw the coercive clauses from its 'Learning Agreement', I will formally raise this as an issue with the University's ethics unit about the research being carried out on behalf of NHS England and NHS Improvement.

It is a small matter for NHS Improvement to withdraw the offending clauses from its consent paperwork. I must question why NHS Improvement is reluctant to remove these clauses if, as it purports, there is no compulsion - or impression of compulsion - intended.

BW

Minh

Minh Alexander

Liverpool John Moore's University Research Ethics Unit
Prof Raphaela Kane LJMU Head of Faculty
Dr Daz Greenop LJMU
Dido Harding Chair NHS Improvement
Tom Grimes NHS Improvement
Maria Robson NHS Improvement
Steve Russell NHS Improvement
Neil Churchill NHS England

From: "WEBSTER, Wendy (NHS IMPROVEMENT - T1520)"
<*****>

Subject: RE: NHS Improvement's consent documentation for the whistleblower employment support scheme

Date: 26 February 2018 at 10:08:06 GMT

To: Minh Alexander <*****>

Cc: "GRIMES, Tom (NHS IMPROVEMENT - T1520)" <*****>, "ROBSON, Maria (NHS IMPROVEMENT - T1520)" <*****>, "RUSSELL, Steve (NHS IMPROVEMENT - T1520)" <*****>, "CHURCHILL, Neil (NHS ENGLAND)" <*****>, Daz Greenop <*****>, "researchethics@ljmu.ac.uk" <researchethics@ljmu.ac.uk>, Raphaela Kane <*****>, "HARDING, Dido (NHS IMPROVEMENT - T1520)" <*****>

Thank you Minh for your email

Your comments and concerns were shared with the Design and Monitoring Group (DMG) and the Learning Agreement to which you make reference to was once again circulated amongst the group. (Please see AOB section 10 in the January DMG notes and my

subsequent email with the Learning Agreement attached sent to the members of the group on 23rd January)

The response we have received from some members of the group (not every member made comment) was that they were happy with the wording. The Learning Agreement has been given to participants following their Panel meeting and after obtaining explicit agreement to share their contact details with the evaluation service.

However, we will add it again to the March group meeting agenda for final discussion. As with the majority of the pilot scheme documentation, agreement will be a majority vote of the members of the Design and Monitoring Group.

Best Regards

Wendy

Wendy Webster | Employment Support Scheme Manager

Wellington House, 133-155 Waterloo Road, London SE1 8UG

NHS Improvement

Confidential email address for Whistleblowers Support Scheme: NHSI.wbss@improvement.nhs.uk

Link to scheme web

page: <http://improvement.nhs.uk/resources/freedom-to-speak-up-whistleblowers-support-scheme>

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From: Minh Alexander [*****]

Sent: 26 February 2018 07:22

To: WEBSTER, Wendy (NHS IMPROVEMENT - T1520)

Cc: GRIMES, Tom (NHS IMPROVEMENT - T1520); ROBSON, Maria (NHS IMPROVEMENT - T1520); RUSSELL, Steve (NHS IMPROVEMENT - T1520); CHURCHILL, Neil (NHS ENGLAND); Daz Greenop; researchethics@ljmu.ac.uk; R.Kane@ljmu.ac.uk; HARDING, Dido (NHS IMPROVEMENT - T1520)

Subject: NHS Improvement's consent documentation for the whistleblower employment support scheme

BY EMAIL

Wendy Webster

Whistlerblower Employment Support Scheme Manager

NHS Improvement

26 February 2018

Dear Wendy,

NHS Improvement's consent documentation for the whistleblower employment support scheme

Thanks for the attached documents.

I write to formally record my concerns about NHS Improvement's consent paperwork for the whistleblower employment support scheme, which I have already previously raised with Tom Grimes.

I see that it remains unchanged despite the concerns expressed by whistleblowers.

The consent paperwork requires that whistleblowers who join the scheme must participate in the evaluation by Liverpool John Moores University as part of signing up for the scheme.

This is unethical and coercive.

It is also inconsistent with the elaborate reassurance provided by the University that no one has to take part in the evaluation unless they want to. I copy below the relevant passages from the University's consent advice.

Although the University's advice states that refusal to participate in the scheme will not affect future support, NHS Improvement's consent paperwork states:

"You will make every effort to ensure that actions agreed by yourself are completed....If you do not wish to agree with these terms or you fail to engage with the support services provider or attend agreed training courses or other sessions, NHS Improvement will discuss with you whether further progress can be made and whether you want to continue with your place on the scheme."

I request again that NHS Improvement removes all reference to participation in evaluation from the consent paperwork for the scheme, and simply informs scheme participants, under separate cover, that they take part in the evaluation if they wish to.

I copy this to the University for information.

Best wishes,

Dr Minh Alexander

Liverpool John Moore's University Research Ethics Unit
Prof Raphaela Kane LJMU Head of Faculty
Dr Daz Greenop LJMU
Dido Harding Chair NHS Improvement
Tom Grimes NHS Improvement
Maria Robson NHS Improvement
Steve Russell NHS Improvement
Neil Churchill NHS England

Extract from the University's consent advice:

"Do I have to take part?

No. It is up to you to decide whether or not to take part. If you choose to participate anonymously you are still free to withdraw at any time before or during completion of the questionnaire without giving a reason.

However, because the questionnaire is anonymous, you cannot withdraw after your responses have been submitted. If you choose to include contact details you may withdraw at any time up to the completion of the first draft of the evaluation report. A decision to withdraw will not affect your rights or any future support you receive."

<https://ljmu.onlinesurveys.ac.uk/whistleblowers-support-scheme-error-copy>