

BY EMAIL

Sir Robert Francis
Non Executive Director

Care Quality Commission

12 April 2018

Dear Sir Robert,

News management by the National Guardian's Office

Thank you to you and [REDACTED] for your time respectively in investigating and deciding on this concern raised by myself and [REDACTED]

Obviously we disagree on the issue of which of the two key witnesses can be believed.

I see no reason to disbelieve [REDACTED], whereas on the balance of probabilities, I would believe that a comms officer might make derogatory remarks about a critic of the National Guardian's Office (NGO).

I do not seek any further action in this matter but write to provide you with some evidence of other news management by the NGO and CQC:

1. Since receiving your decision letter of 28 March 2018, I have received disclosed correspondence between the National Guardian's Office (NGO) and the Department of Health and Social Care (DHSC), in which the NGO briefed the DHSC thus:

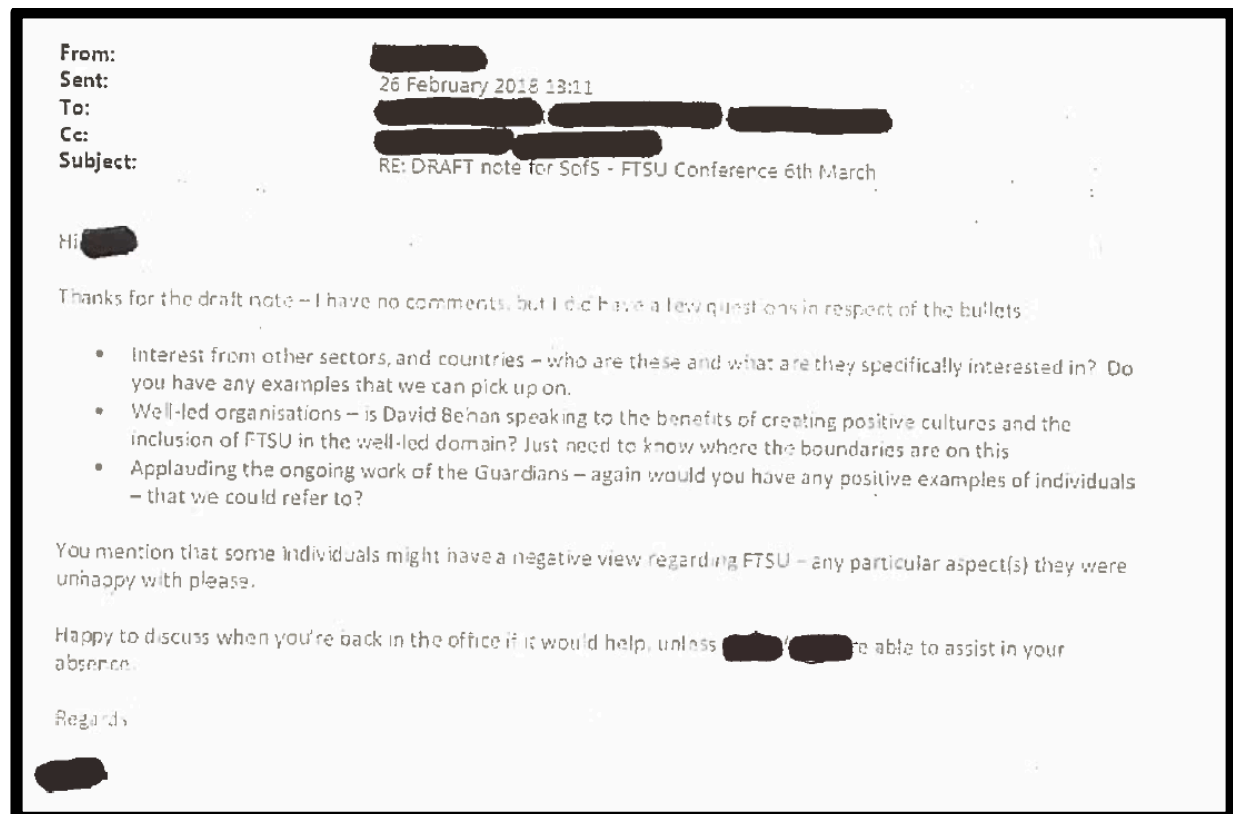
You mention that some individuals might have a negative view regarding FTSU – any particular aspect(s) they were unhappy with please.

- Some individuals, who are members of our Advisory Working Group, have suffered significant detriment in the past for speaking up. Some of these do not agree with Sir Robert's findings, or the development of the Freedom to Speak Up Guardian or National Guardian roles. They believe that the roles are 'unevidenced'. Some of these individuals believe that legal reform is needed to prevent people who speak up from receiving detriment and/or to ensure that they receive an appropriate remedy if they do suffer detriment. There are likely to be around half a dozen of these individuals at the event.

National Guardian Freedom to Speak Up

5. We should note that, whilst the audience are likely to be overwhelmingly supportive of the Freedom to Speak Up initiative, a small number of attendees are known to have had negative experiences of speaking up and are less supportive.
6. Attendance at the event is by invitation only. We are not expecting a large degree of press interest, though reporters from the Nursing Times and HSJ have been invited.

2. The same correspondence showed that the DHSC actively sought examples of 'Good news' for the purposes of a speech that the Secretary of State was to make at the National Guardian's conference on 6 March 2018:



The general impression from this correspondence between the NGO and DHSC is one of stage management. The NGO even asked the DHSC in advance for retweets.

3. Indeed, The NGO provided the Secretary of State with a contentious 'Good News' statistic which he publicly cited on 6 March 2018 and which was tweeted from his twitter account. The UK Statistics Authority has since confirmed that the statistic was unpublished, and as you will be aware, the public citing of unpublished statistics by Ministers is considered to be a breach of the UKSA's code. Arising

from these events, the UKSA has advised me that it is writing to the NGO to suggest some changes in how the NGO presents and disseminates data. However, Mr Hunt has nevertheless been afforded an opportunity to widely disseminate a claim that government policy is more successful than is the case.

4. As you may recall, I also raised concerns about the NGO's social media policy which to my mind appeared to characterise dissent negatively and sought to move disagreements offline. I understand that the policy is being revised in the light of my comments and I await sight of the revised document.
5. The NGO is constituted as part of the CQC, which itself has a history of spin and negative briefing against critics. I have seen various Subject Access Request data in this vein.

For example, this is internal CQC correspondence about Private Eye coverage of concerns raised by the charity Compassion in Care:

Unfortunately we were unable to get to the bottom of the above in time to meet Private Eye's deadline. [REDACTED]

However, fore-seeing that we would not meet the deadline I did provide the following for inclusion to avoid a no comment line: *"At the time of going to press CQC was looking into these cases further. If mistakes have been made with the publishing of inaccurate information, we will rectify this as quickly as possible."*

We can expect Eileen Chubb to make some noise on Twitter about the fact that all 3 homes have a history of poor care and this is just the tip of the iceberg in terms of inspection reports that are not accurately or clearly reflected on our website.

As with previous Private Eye queries we have been involved in on these issues, if we need to get involved on Twitter tomorrow, below are the messages I think are key here again:

- We are committed to making sure people have accurate and timely information about services.
- We are sorry this didn't happen here and we are working to rectify this as quickly as possible.

6. In my personal experience, when I requested personal data from the CQC, the regulator wrote to the third parties involved for the purported reason of seeking consent for release of data, but in doing so made extraneous comments that I was a critic of the CQC.
7. When another whistleblower and I recently corresponded with the National Guardian on a matter of policy, a comms manager repeatedly intervened and was discouraging.

It is for reasons such as these and others that I do not find the idea of undermining behaviour towards whistleblowers surprising.

With best wishes,

Dr Minh Alexander

Cc

[REDACTED]

[REDACTED]