

From: Minh Alexander <*****>
Subject: Independent academic evaluation of the Freedom To
Speak Up model
Date: 10 April 2018 at 08:18:30 BST
To: Russell Parkinson <*****>
Cc:

My apologies for a typo in my email below of 7:29.

Please accept this amended version.

BW

Minh

BY EMAIL

Russell Parkinson

Head of Office

National Guardian's Office

Care Quality Commission

10 April 2018

Dear Russell,

Independent academic evaluation of the Freedom To Speak Up model

Thank you for your reply.

To be accurate, Dr Aled Jones did not announce his study.

He responded to me on twitter, after I commented on the apparent lack of action to pursue planned evaluation, to disclose that a study is being conducted.

At my request, he sent me a copy of the research protocol but *he asked me to keep it private*.

I question why this is necessary.

I am concerned that the National Guardian's Office (NGO) has not shared its plans for evaluation or the research protocol with its own advisory group, but has instead behind the scenes apparently acquiesced to AvMA and some as yet undisclosed whistleblowing organisations being established as the expert group supporting the research.

This adds to the impression that whistleblowers who have been invited to sit on the National Guardian's advisory group are being treated very tokenistically, and that the most questioning voices are only being humoured as opposed to genuinely engaged by the NGO.

Indeed, disclosed correspondence between the NGO and Jeremy Hunt's office which emerged yesterday showed that the NGO has been briefing thus about the whistleblowers whom it has invited to serve on its own advisory group:

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.

Disclosed correspondence between NGO and Jeremy Hunt's team 27 February 2018

In particular, it is sad that the research conducted on NGO's behalf is being shaped by AvMa, an organisation that is not even expert on whistleblowing whilst whistleblowers whom NGO has acknowledged are experienced 'user' experts have been ignored. I have interacted with AvMA's chief executive on several occasions when he has advocated for action to be taken against clinicians who do not speak out, to suggest that it is necessary to balance this with a proper understanding of why people are sometimes terrified to do so.

I am also perplexed that the considerable expertise of the senior researchers who are internationally recognised experts in whistleblowing, and who gathered and analysed data which informed the Freedom To Speak Up Review, does not appear to have been harnessed in this project.

I would be grateful if the NGO would authorise immediate release of the evaluation research protocol so that all whistleblowers and other stakeholders can have access and an equal voice in shaping the research.

Being presented with what is effectively a fait accompli further down the line is not equitable, nor would it be genuine consultation.

I should say that I have significant concerns about the remit handed down to the research team and must question the nature of the evaluation that the NGO has commissioned. This is a fundamental question that ought to have been resolved much more transparently and with the proper, representative input of whistleblowers.

I would also be grateful to know how much is being spent in total on this research, whether by NHIR and/or NGO, and where the tender for the research was advertised.

Many thanks.

Best wishes,

Dr Minh Alexander

Cc

Steve Barclay Minister for State for Health and Social Care

Dr Henrietta Hughes National Freedom To Speak Up Guardian, CQC

Professor David Lewis, Professor of Employment Law

Dr Wim Vandekerckhove, Reader in Business Ethics

Simon Stevens CEO NHS England

Dido Harding CEO NHS Improvement

Sir David Behan CEO Care Quality Commission

Sir Robert Francis CQC NED and member of National Guardian's
Liaison and Accountability Board

Moira Gibb NHS England NED and Chair of National Guardian's Liaison
and Accountability Board

Kate Moore NHSI General Counsel and member of National Guardian's
Liaison and Accountability Board

From: Minh Alexander <*****>

Subject: Independent academic evaluation of the Freedom To
Speak Up model

Date: 10 April 2018 at 07:29:30 BST

To: Russell Parkinson <*****>

Cc:

BY EMAIL

Russell Parkinson

Head of Office

National Guardian's Office

Care Quality Commission

10 April 2018

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model**

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Dr Minh Alexander

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Dr Henrietta Hughes National Freedom To Speak Up Guardian, CQC

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Liaison and Accountability Board

Moira Gibb NHS England NED and Chair of National Guardian's Liaison
and Accountability Board

Kate Moore NHSI General Counsel and member of National Guardian's
Liaison and Accountability Board

From: "Parkinson, Russell"
<Russell.Parkinson@nationalguardianoffice.org.uk>

Subject: Independent academic evaluation of the Freedom To
Speak Up model

Date: 27 March 2018 at 17:11:08 BST

To: Minh Alexander <*****>

Cc:

Dear Dr Alexander

I am writing in response to your email to Dr Hughes (below).

You will be aware that, following our 6th March conference, Dr Aled Jones of Cardiff University announced his study of the implementation of the Freedom to Speak Up Guardian role. This will commence in May 2018 and is being delivered in collaboration with Kings College London, and the Universities of Surrey and Birmingham.

The study is funded by the National Institute of Health Research, and will initially focus on guardians working in acute trusts and mental health trusts.

The overall objective of the project is to better understand different ways of implementing the role, the interface of the role with other functions, and how these impact, or not, on the role and workers' freedom to speak up.

Data collection starts in September 2018 and will be followed, in March 2019, by in-depth case studies in six organisations.

This is an independent study but the NGO will, of course, collaborate with Dr Jones as appropriate to support him in progressing his work.

Russell Parkinson

Head of Office

National Guardian's Office

From: Minh Alexander

Sent: 07 March 2018 09:35:07

To: Hughes, Henrietta **Cc:** England CE; Dido Harding; Behan, David; Dave Lewis; Robert Francis; Kate Moore; England Contactus

Subject: Independent academic evaluation of the Freedom To Speak Up model

BY EMAIL

Dr Henrietta Hughes

National Freedom To Speak Up Guardian

Care Quality Commission

7 March 2018

Dear Dr Hughes,

Independent academic evaluation of the Freedom To Speak Up model

When we met over a year ago on 3 February 2017, you acknowledged that there was no evidence base for Sir Robert's proposal of Speak Up Guardians:

<https://minhalexander.files.wordpress.com/2017/02/hh-meeting-records-23-01-2017-and-2-02-2017.pdf>

Indeed, my own research has confirmed this and has raised additional concerns. Some of these concerns have not been resolved because the exemplar trust upon which Sir Robert relied defaulted on its FOI obligations, on the most critical questions about the local Guardian's independence:

<https://minhalexander.com/2017/05/28/ssotp-robert-francis-exemplar-trust-has-feet-of-clay-and-jeremy-hunts-safety-claims-are-un-evidenced/>

At our meeting on 3 February 2017 you advised me that your Office was commissioning external research:

“HH We're commissioning our own research on SUGs

We want it to be external and credible

- Find out more about the roles

- How they've been established

- Number of cases”

In discussion, you informed me that you would be talking to academics on how the effectiveness of Freedom To Speak Up Guardians would be measured:

***MA** That sounds like a descriptive piece of work on how the SUGs were set up. Anything on effectiveness?*

***HH** We'll be looking at SUGs' measures of their effectiveness*

***MA** How will you measure SUGs' effectiveness?*

***HH** We're having a conversation with academics about that"*

I keep in touch with UK academics in the field of whistleblowing, and I have not yet learned of an evaluation initiative by the National Guardian's Office.

Please could you advise if the proposal for evaluation was progressed by your office, and of any progress made in the last year.

As you may recall, I asked in February 2017 if you could possibly let me have a copy of any draft evaluation research proposal. If such a proposal exists, or any independent evaluation report exists, I would be very grateful for copies.

If no research has been commissioned yet, I wonder if Professor Lewis' team at Middlesex University could be asked to assist. This would be natural given his department's existing expertise on whistleblowing in general, but more specifically, its knowledge and experience of NHS whistleblowing via the research undertaken after the commission by the

Freedom to Speak Up Review.

I copy this to the three bodies which fund your Office and maintain oversight via the National Guardian Liaison and Accountability Board, and I copy it to Professor Lewis.

Yours sincerely,

Dr Minh Alexander

Cc

Professor David Lewis, Professor of Employment Law

Simon Stevens CEO NHS England

Dido Harding CEO NHS Improvement

Sir David Behan CEO Care Quality Commission

Sir Robert Francis CQC NED and Chair of National Guardian's Liaison and Accountability Board

Moira Gibb NHS England NED and member of National Guardian's Liaison and Accountability Board

Kate Moore NHSI General Counsel and member of National Guardian's Liaison and Accountability Board

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