

BY EMAIL

FAO Linda White
NHS England National Head of Complaints

15 March 2023

Dear Ms White,

NHS England's relationship with the private organisation the Good Governance Institute and its employment of a sacked former NHS trust director

I would like to make a complaint about the unaccountability of two of your chief officers with respect to questions about:

1. NHS England's continuing business relationship with the Good Governance Institute despite the fact that it employed Mason Fitzgerald as a "senior consultant" and has now promoted him to "Director of Consultancy and Principal Consultant"

<https://www.good-governance.org.uk/our-people/mason-fitzgerald>

He was a former NHS trust director who was sacked after a CV irregularity.

2. Whether NHS England has been indirectly employing Mason Fitzgerald via the Good Governance Institute (GGI), despite the fact that he has been sacked by his former NHS trust.

Whether or not NHS England has been indirectly employing Mason Fitzgerald as a consultant through the GGI, the fact that it continues to transact with the ironically named GGI is a great concern.

This is particularly as NHS England is purportedly leading the work on implementation of the Kark review recommendations on preventing the recycling of unfit NHS managers.

NHS England Chief Nurse Ruth May featured prominently in a campaign run by the GGI for her Office, to publicise a survey.

She shared GGI material via her social media (twitter) account.

I wrote to Ruth May with concerns about NHSE's links with the GGI on 15 October 2022 and I asked that:

a. NHS England and its officers stop all promotion of the GGI until the issue of the GGI's employment of Mason Fitzgerald, and the questions arising from this about the GGI's governance, are further clarified and addressed.

b. NHS England reviews any existing contracts with the GGI based on the evidence, through the GGI's hiring of Mason Fitzgerald, that the GGI's choice and deployment of consultants and its governance are in question. Please also review whether Mason Fitzgerald is currently working for NHS England, any ICS or any other NHS body under NHSE's control, as a GGI senior consultant.

c. NHS England considers in its Kark implementation the specific issue of whether NHS managers sacked by the NHS may resume employment through the back door as consultants, and that NHSE designs Fit and Proper Person systems that are strong enough to detect such a situation.

d. NHS England considers generally in its Kark implementation how it will ensure that consistent Fit and Proper Persons standards apply to contractors and contracted services, in the same way that it currently makes other quality requirements of contractors, through the way NHSE's contracts are drafted.

I copied the letter this to Amanda Pritchard, Jacqueline Davies NHSE lead director for the Kark implementation and to Tom Kark KC.

I received no response whatsoever from Ruth May.

On 14 December 2022, I wrote to Amanda Pritchard about the lack of response by Ruth May and again asked for NHS England to take action.

Once again, there was only silence.

I do find NHS England directors latterly very unaccountable.

Serious matters such as whistleblower reprisal by NHS trust directors are now often ignored or trivialised.

When the conduct of NHS England directors is questioned, the silence is most marked.

Stephen Powis NHS England's medical director has not replied to a query about apparently misleading information that he supplied to a senior coroner. This is in a matter in which a whole team of cardiac surgeons at St. Georges were referred to the GMC on the basis of a controversial NHSE review that was criticised by the senior coroner, with I understand all referrals ending in a "no case to answer" outcome.

Amanda Pritchard, Stephen Powis and another NHSE medical manager failed to reply to me about evidence that NHSE's Salmon processes might be unsafe and unreliable or to provide basic information about who had been responsible for the cardiac surgery Salmon process.

Stephen Powis also did not reply when I wrote to him about a serious patient safety matter arising from a whistleblowing case. I will write to you under separate cover about these additional issues.

I find this behaviour quite astonishing in senior public servants, and I fail to see how NHSE directors can expect the rest of the NHS to live up to basic standards of conduct when their own behaviour is so unaccountable.

I would be grateful if you would look into the matter of Ruth May and Amanda Pritchard's handling of my concerns about the Good Governance Institute and any indirect employment by NHSE of Mason Fitzgerald, and also ensure that NHSE addresses these concerns.

As an FOI request, please disclose if since July 2021 when Mason Fitzgerald was sacked by East London NHS Foundation Trust, NHS England has purchased Mason Fitzgerald's services in any capacity, whether directly or via another party such as the Good Governance Institute.

Please disclose the number of occasions on which his services were purchased, the total number of days work purchased, the type of services purchased and the total amount spent. As part of this, please clarify if Mason Fitzgerald did indeed work on ICS governance, and if he did, on which ICS did he work.

Please also disclose which NHSE senior managers signed off these expenses, and under which NHSE directorate these expenses fell.

Please also disclose the total amount that NHS England has spent on the Good Governance Institute's services since July 2021, irrespective of which directorate purchased these services.

The previous correspondence with Ruth May and Amanda Pritchard is forwarded below and is hopefully self explanatory.

Many thanks

Yours sincerely,

Dr Minh Alexander

Cc Tom Kark KC
Health and Social Care Committee
Steve Barclay SoS

From: "minhalexander@aol.com" <minhalexander@aol.com>

To: england.ce@nhs.net <england.ce@nhs.net>

Cc: tom.kark@qebhw.co.uk <tom.kark@qebhw.co.uk>; jacqueline.davies@nhs.net <jacqueline.davies@nhs.net>

Sent: Wednesday, 14 December 2022 at 10:08:15 GMT

Subject: NHSE, the Good Governance Institute's governance and Mason Fitzgerald, sacked former NHS director

BY EMAIL

Amanda Pritchard
CEO NHS England

14 December 2022

Dear Amanda,

NHSE, the Good Governance Institute's governance and Mason Fitzgerald, sacked former NHS director

I wrote to Ruth May two months ago raising concerns about her commissioning of services and promotion of the work stream by the Good Governance Institute, because the GGI indicates it has hired sacked NHS trust director Mason Fitzgerald as a senior consultant.

Indeed, there was a suggestion from the GGI's public statements that Masonn Fitzgerald is working for NHSE on ICS governance.

Please the letter below of 15 October 2022 to Ruth May.

I have received no response whatsoever from Ruth and am very concerned by the unaccountability.

It makes a mockery of NHS governance if senior managers who are sacked are simply rehired through consultancy.

Please may I have a response from NHSE on its relationship with the GGI and Mason Fitzgerald.

Many thanks.

Minh

Dr Minh Alexander

Cc

Tom Kark KC
Jacqueline Davies NHSE lead director for the Kark review implementation