

**From:** REDACTED

**Subject:** Request for investigation of National Guardian's handling of the review on University Hospitals Sussex NHS Foundation Trust

**Date:** 11 June 2023 at 07:59:01 BST

**To:** REDACTED

**Cc:** REDACTED

BY EMAIL

Ian Trenholm  
CEO Care Quality Commission

11 June 2023

Dear Mr Trenholm,

**Request for investigation of National Guardian's handling of the review on University Hospitals Sussex NHS Foundation Trust**

I write to ask if the CQC will open an investigation into Henrietta Hughes' and her Office's handling of whistleblowing matters at Sussex in light of the current police investigation into gross negligence manslaughter at Sussex.

As you may know, Dr Hughes as the then NHS National Freedom To Speak Up Guardian received a request from a large group of NHS trust whistleblowers at Sussex in December 2017 to review the trust.

The trust, in predecessor form, was already notorious with the local coroner's office which had been sending many PFDs to NHS regulators and the Secretary of State.

In April 2018 she inexplicably deviated from her own policies and told the whistleblowers she would not do a review straightaway, but would give the trust time to improve.

<https://minhalexander.com/2018/05/06/a-study-in-delay-the-national-guardian-brighton-and-sussex-university-hospitals-nhs-trust/>

Please attached screenshot of her letter to the whistleblowers.

<Henrietta Hughes letter 18 April 2018 to Sussex whistleblowers.png>

This appeared to be an act of favouritism, to a trust that was already a self confessed favourite of the then Health Secretary, Jeremy Hunt.

Dr Hughes did not review the trust until 2019, publishing her report in July 2019. This unsurprisingly concluded that Sussex' whistleblowing governance had improved, a fact seized upon by the trust in its PR material.

<https://minhalexander.files.wordpress.com/2022/03/praise-for-bsug-culture-change.pdf>

<https://minhalexander.files.wordpress.com/2022/03/ngo-case-review-20190619-brighton-snd-sussex-university-hospitals-nhs-trust.pdf>

However, only eight months later in March 2020 a Health Education England report showed that HEE found hugely disturbing issues of surgical safety and culture at Sussex, with many serious breaches of governance and also suppression of staff concerns about these issues. HEE noted that Marianne Griffiths the trust CEO had been informed of the concerns and of rising surgical deaths.

<https://minhalexander.files.wordpress.com/2023/06/hee-site-visit-report-bsuh-core-and-higher-general-surgery-4-march-2020-final.pdf>

It is related matters 2015-2020 that are now under police investigation:

<https://www.theguardian.com/society/2023/jun/09/police-investigate-dozens-of-deaths-royal-sussex-county-hospital-brighton>

As I imagine you are aware, two of the senior medical whistleblowers who were involved are currently taking action against the trust in the Employment Tribunal for serious whistleblower detriment, and they are supported by the BMA.

I note that Marianne Griffiths was made a Dame in the New Years honours list in 2018 and she in turn publicly congratulated Dr Hughes on her OBE in December 2019.

As you must know, despite Dr Hughes' claim in 2019 that whistleblowing governance at the trust had improved under Marianne Griffiths' stewardship, the problems of suppression continued and went from bad to worse. From 2021 onwards, the CQC has publicly admitted that it has received a steady stream of whistleblowing which has not stopped, because trust staff either fear or experience reprisal, suffer "concern fatigue" and give up because nothing is done about their concerns or managers tell them to stop raising concerns because they already know about the problems.

CQC of course last month downgraded Sussex from "Outstanding" to "Requires Improvement" overall, and "Inadequate" on the "Well Led" domain.

<https://www.cqc.org.uk/provider/RYR?referer=widget3>

I am very concerned about the irregular actions of the National Guardian's Office in 2018.

These actions only became public because the whistleblowers contacted me.

In how many other cases has there been such irregularity by the National Guardian's Office?

Have such arbitrary decisions have contributed to serious patient harm and whistleblower harm?

Was the then Secretary of State Jeremy Hunt involved in any way in 2018 in the decision which led to Sussex receiving preferential treatment at whistleblowers' and patients' expense?

Lastly, please note that I have raised concerns on repeated occasions about the conduct of the National Guardian's Office and that this has included breach of whistleblower confidentiality without apology or learning. This was upheld.

It is not a model that works.

Yours sincerely,

Dr Minh Alexander

Cc Ian Dilks CQC Chair  
Caroline Lucas MP Brighton

Health and Social Care Committee  
Public Accounts Committee  
Dr Phil Banfield BMA Chair  
Dr Chaand Nagpaul