

From: REDACTED

Subject: Implications of governance failings at Sussex for NHS England's investigation of North East Ambulance Case Reference 2306-1985921 - GE.
NHSE:0834956

Date: 9 June 2023 at 13:10:11 BST

To: REDACTED

Cc: REDACTED

BY EMAIL

Amanda Pritchard
CEO NHS England

9 June 2023

Dear Amanda,

Implications of governance failings at Sussex for NHS England's investigation of North East Ambulance

I raised concerns with you on 5 June 2023 about an accumulation of evidence about serious governance failings at University Hospitals Sussex and the commencement this week of a whistleblowing case against the trust in the Employment Tribunal, which arose during Marian Griffiths' tenure.

Accordingly, I asked you:

"Please let me know if NHS England will act on the concerns about Marianne Griffiths' role in the patient safety and governance matters at Sussex and withdraw its current investigation at NEAS [North East Ambulance Service]."

NHS England has today replied that it can only investigate complaints about primary care services and this means it cannot respond to my request.

"NHS England Customer Contact Centre can investigate complaints, concerns and general enquiries about primary care services....Unfortunately, therefore we are not able to deal with the service which you have written to us about."

I am confused, as NHS England previously did not make such an argument when I first came to it with this concern. Instead, NHS England asked for permission to pass on my concerns to the regional team responsible for NEAS.

"I will need to share it with the regional team (that are responsible for commissioning the review that Marianne Griffiths is leading)." NHSE 3 March 2023

I am also confused because as far as I am aware, NHS England remains the regulator for NHS Foundation Trusts, with oversight of their governance and

enforcement powers and it continues to require their submission of annual governance reports. And I am raising concerns about serious NHS Foundation Trust governance failure, that impacts on whether an investigation by Marianne Griffiths of NEAS can command confidence.

https://www.england.nhs.uk/wp-content/uploads/2022/06/B1378_NHS-System-Oversight-Framework-22-23_260722.pdf

May I please have the rationale behind NHS England's apparent assertion today that it has no jurisdiction to examine an NHS Foundation trust's governance.

My original request about withdrawing the NEAS investigation stands.

The relevant preceding correspondence is forwarded below.

Many thanks and best wishes,

Minh

Dr Minh Alexander

Cc

Grahame Morris MP
Health and Social Care Committee
Tom Grimes lead for whistleblowing NHSE

From: REDACTED

Subject: NHS England Case Reference 2306-1985921 - GE. NHSE:0834956

Date: 9 June 2023 at 11:51:10 BST

To: REDACTED

Dear Dr Minh Alexander,

Thank you for your email dated 5 July addressed to the Chief Executive Amanda Pritchard. Your email has been reviewed by her office and they have asked us to respond on her behalf.

NHS England Customer Contact Centre can investigate complaints, concerns and general enquiries about primary care services such as GPs, dentists, pharmacists and opticians but we are not able to investigate secondary care which includes the care given at hospitals and clinics, mental health services, out of hours GP services, urgent care services such as walk-in-centres and the 111 and 999 service. Unfortunately, therefore we are not able to deal with the service which you have written to us about.

In order to get a resolution to the points that you have raised you would need to

contact either the provider of the service directly, or the commissioner. For example, for hospitals and clinics you can contact the PALS (Patient Advice and Liaison Service) or Patient Experience Team which you can find via their website or by calling the service direct. To complain to the commissioner of the service you need to contact the Integrated Care Board (ICB) which commissions these services.

Your Integrated Care Board can be found in the following link to the NHS England Website. For hospitals and clinics you will need to select the ICB in the area in which your GP Practice is located. For emergency and urgent care services you will need to select the ICB for the area in which the service was accessed.

[Find your local integrated care board \(ICB\) - NHS \(www.nhs.uk\)](https://www.nhs.uk)

I trust that by contacting the above services you will receive the help and resolve that you require.

Kind regards,

Kimberley - Case Officer
Customer Contact Centre
NHS England, PO Box 16738, Redditch, B97 9PT
Telephone: 0300 123 4484
Email REDACTED

From: REDACTED
Subject: Implications of governance failings at Sussex for NHS England's investigation of North East Ambulance
Date: 5 June 2023 at 09:44:28 BST
To: REDACTED
Cc: REDACTED

FAO Amanda Pritchard

BY EMAIL

Amanda Pritchard
Chief Executive
NHS England

5 June 2023

Dear Amanda,

Implications of governance failings at Sussex for NHS England's investigation of North East Ambulance

I write to formally ask once more if NHS England's investigation of NEAS is fit for purpose given that it is headed by Marianne Griffiths.

I have asked several times previously and asked NHS England to look into matters at Sussex as part of this. However, I have had no confirmation that NHS England would do so, nor have I received any feedback.

Some of the matters about which I raised concerns are now in the public domain as one of the whistleblowing cases at Sussex is coming into the public domain today, with the start of a whistleblowing case against Sussex at Croydon Employment Tribunal.

I now write to forward information from a Health Education England (HEE) report from March 2020 which combined with other information, raises especially serious questions about Marianne Griffiths' role in the treatment of trust staff, the handling of staff concerns, the proper investigation of serious patient harm and surgical staff incapability/ competence at Sussex. As far as I am aware, the HEE report has not been published before.

<https://minhalexander.com/2023/06/05/health-education-englands-damning-2020-report-on-surgical-training-safety-at-sussex-another-embarrassment-for-the-national-guardians-office/>

I imagine NHSE already received this information in 2020.

But to recap, according to HEE, Ms Griffiths was informed by surgical trainees rotated to a very dysfunctional department at Sussex of high complication rates and rising deaths. The trainees complained to HEE that there seemed to be little action taken on concerns and that concerns were in some cases suppressed. They were discouraged even from raising concerns with HEE. They reported that one of the individuals who discouraged the raising of concerns was a senior manager.

The care failings and governance failures reported by surgical trainees to HEE were beyond appalling. Surgical complications occurred in such volume that they could not be discussed in detail at the relevant meetings. Proper records were reportedly not kept of the complication rate.

HEE's 2020 mandatory requirements included requiring the trust to consider an external review by the Royal College of Surgeons, but I understand that this did not take place until last month, three years later.

This is well after Marianne Griffiths' retirement from Sussex last year.

As I am sure you know, CQC made an unannounced inspection of Sussex in 2021 and found care failings and poor whistleblowing governance. CQC has reported that many trust staff continued to whistleblow to the CQC, especially from surgical teams, since 2021. They continue to do so, because internal routes for raising concerns are not fit for purpose. Staff have variously reported either fear of or experience of reprisal, and also "concern fatigue" in that they give up because they find concerns are not acted upon, or are told not to raise concerns because management already know about the issues.

As I am sure you will know, the CQC has finally recognised how poor governance has been at Sussex and downgraded its “Outstanding” rating to “Requires Improvement” overall, and “Inadequate” on the Well Led” domain.

Surely all this makes it clear that Marianne Griffiths is completely the wrong person to be investigating a deaths cover up scandal at North East Ambulance Service, where whistleblowers were failed and report being silenced and harmed?

It seems a serious injustice to the NEAS families who have lost loved ones in terrible circumstances, and the severely harmed whistleblowers, to make them endure a process in which they have reasonably signalled little confidence.

Please let me know if NHS England will act on the concerns about Marianne Griffiths’ role in the patient safety and governance matters at Sussex and withdraw its current investigation at NEAS.

Yours sincerely,

Minh

Dr Minh Alexander

Cc

Grahame Morris MP
Health and Social Care Committee
Tom Grimes lead for whistleblowing NHSE

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