

Surgery deaths continued after repeated warnings

<https://www.thetimes.co.uk/article/brighton-royal-sussex-county-hospital-deaths-coroner-warned-522sdlgbn>

Surgery deaths continued after repeated warnings by coroners

Police are investigating claims of negligence at Royal Sussex County Hospital

Tom Witherow Friday September 22 2023, 3.00pm, The Times

The family of Lewis Chilcott, 23, said he was a fit young man when he was admitted to hospital in Brighton after suffering a seizure at work and banging his head.

Thirty-nine days later, in July 2021, the mechanic was dead. His family claims that alleged errors made by the surgeon during a tracheostomy, which led to an infection and “torrential bleeding”, were the cause of his death.

This month a police investigation into alleged medical negligence at the Royal Sussex County Hospital was widened to include his case, alongside 40 other surgery deaths.

“I will not stop until I get the truth,” Chilcott’s father, Simon, said. “I told the hospital managers at the inquest, we’ve got no answers . . . They know I’m coming for them.”

He claimed that hospital bosses ignored him after his son’s death and “dismissed” his claims that the surgeon was at fault. Chilcott added that he had repeatedly had to challenge errors in the trust’s investigation. “It’s been a long, uphill battle,” he said. “Even before Lewis passed away . . . it was obvious that something went wrong very quickly.”

An inquest found Lewis had died due to a “rare but known” complication of the tracheostomy. His son’s death is now part of the wider police investigation.

Allegations of cover-up

The police were called in by the senior coroner after she heard of allegations made by two consultant surgeons at University Hospitals Sussex NHS Foundation Trust of a cover-up and medical negligence.

Mansoor Foroughi, a consultant neurosurgeon, was sacked for “acting in bad faith” in December 2021 after raising concerns about 19 deaths and 23 cases of serious patient harm stretching back to 2015. He has compiled a 70-page document about alleged mistakes in surgery that resulted in deaths and serious harm, which he shared with the trust.

The other whistleblower, Krishna Singh, a consultant general surgeon, claimed that he lost his post as clinical director because he said the trust promoted insufficiently competent surgeons, introduced an unsafe rota, and that “determined” cost-cutting “drove up complication rates and patient mortality”, according to employment tribunal documents seen by The Times.

Both have appealed against their dismissals. The trust claimed that it acted properly and the doctors were not removed for whistleblowing.

Another case being considered by the police is that of Jugal Sharma, 63, who was left severely disabled by a stroke. His family says doctors misdiagnosed him as having a grade 4 tumour, requiring immediate operation. In fact he had a less serious grade 2 tumour.

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His family requested a copy of the morbidity and mortality review, which should have been done, in June, but it has not yet been provided. Sharma's wife, Audrey, said: "It's hugely stressful. We're just trying to cope with it as it is. We're swamped at the moment. It has been very difficult."

Surgeons who have faced complaints also remain in post, according to sources.

The Guardian has also cited a source who believes that police should investigate more up-to-date cases, including a woman who lost her ability to speak in April after an alleged mistake in surgery to remove a brain tumour, and a man who suffered brain abscess after being operated on despite a heightened risk of infection.

Parallels with letby?

The alleged failure to listen to whistleblowers raises troubling parallels with hospital bosses' response to concerns about Lucy Letby, the nurse who was last month sentenced to a whole-life jail term for murdering seven babies. Dr Stephen Brearey, the lead consultant on the paediatric neonatal unit at the Countess of Chester Hospital, claimed babies would have lived had the hospital not ignored concerns raised by doctors and delayed calling in the police.

This year the Care Quality Commission (CQC) rated the Sussex trust's leadership "inadequate", with staff complaining of "autocratic and bureaucratic" management. It found "little or no improvement in surgery" since its previous inspection in 2021, when the department was rated "inadequate". Elective surgery for upper gastrointestinal patients was suspended "to protect against harm".

Reports show how years of warnings were not heeded and interventions by senior management were ineffective. In 2020, Health Education England (HEE) found that the surgical department was so poor, junior staff said they would not want members of their own families operated on by consultants in the department.

Dame Marianne Griffiths, the former chief executive of the trust, and George Findlay, then chief medical officer and now chief executive, were aware of concerns over an "increase in death rates" in surgery, HEE reported.

One patient mentioned in the report had received surgery on the "wrong part of their bowel", resulting in recurrent readmissions. Complications were also often not discussed in formal morbidity and mortality meetings because there were so many to cover, it said. It also found junior staff were being put under pressure to "provide positive feedback". HEE pulled its surgical trainees from the trust.

A year later the CQC rated maternity and surgery as inadequate for safety and leadership in a 2021 report, the first inspection in surgery since 2015. When the trust released a heavily redacted version of a 2019 review into its services from the Royal College of Surgeons, they said it "did not highlight any safety concerns", but obscured sections detailing issues and recommendations, leaving only positive feedback.

In fact the review "made reference to similar recommendations in terms of governance, risk oversight and culture" as the HEE report, the CQC later said.

The failure to learn from past mistakes was also a recurrent theme in some of the 28 "prevention of future death" notices by the coroner — special documents demanding improvements following a death — handed to the trust since 2015.

In one, the senior coroner, Veronica Hamilton-Deeley, wrote that a death had occurred despite previous notices on the same subject. "Am I to assume that no lessons are being learnt?" she said.

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Following a different death in July 2019, she asked: “What is the point of the regulation reports if the trust ignores them?”

Concerns go wider than surgery

Karen Henderson, assistant coroner for West Sussex, investigated the death of Teegan Bernard, 17, who died after suffering a cardiac arrest and brain damage following childbirth, leaving her baby son Parker without a mother. She found that the trust did not investigate the death properly and that senior managers refused to recognise that their systems were flawed.

Teegan’s mother, Abbie Hallawell, reacting to the police investigation, said: “It’s distressing to hear of issues that have been uncovered at the Royal Sussex County Hospital, which falls under the same trust. We’re now concerned as to whether the trust has really learnt lessons from Teegan’s death.”

After a series of mergers, the trust is now one of the largest NHS organisations, employing nearly 20,000 staff and serving 1.8 million people. Findlay has earned £2.7 million since he joined as medical director in 2015, while his predecessor Griffiths earned £3.7 million between 2009 and her retirement in 2022. She amassed a pension pot just shy of £1.3 million.

Griffiths went on to chair a review into an alleged cover-up at the North East Ambulance Service, which also involved whistleblowers. Another senior boss at the University Hospitals Sussex trust, Darren Grayson, the head of governance, is the main contact between the trust and police.

This is despite him resigning from his last job as chief executive of East Sussex Healthcare NHS Trust after the trust was branded inadequate by the CQC and inspectors found a leadership described as a “dictatorship” and a “worrying disconnect” between bosses and hospital staff. “The whole executive team should hang their heads in shame,” Simon Chilcott said.

The University Hospitals Sussex NHS Foundation Trust said: “We are aware of allegations made about a number of services at the Royal Sussex County Hospital, and of course we are co-operating fully with Sussex Police as they review those complaints. It would be inappropriate to comment further while this work continues, but we absolutely understand the impact this has on everyone affected and we are working to provide the support people may need.

“[Royal Sussex County Hospital] has faced significant challenges for many years but staff there were recognised as improving the quality and safety of services before the outbreak of the pandemic.

Since then, they have been working tirelessly alongside colleagues across our hospitals to care for hundreds of thousands of people a year in extremely difficult circumstances.

“We are proud of their efforts and focused on giving them the support they need to provide the standards of service we all want to see, as well as helping staff and patients speak up with confidence when they see things we need to improve.”