

For the Record – Press Statements

Publication	Daily Mail
Date of article	27 th May 2014
Reporter	Paul Bentley
Headline	Vindication for a whistleblower: Police probe new claims after NHS boss who said patients are locked up is fired
First paragraph/s of article	Whistleblower: David Ore said that hospital security guards were told to lock up elderly patients and children for up to 12 hours with no food or drink. Police are investigating claims that unreasonable force is being used to restrain vulnerable patients on NHS wards, it emerged last night.
Press enquiry	The Daily Mail is writing a story about a police investigation into claims of staff using illegal restraint at Russells Hall Hospital. The Dudley Group issued the following response to the Daily Mail's questions.
Trust response	
<p>COMMENT FROM PAULA CLARK, CHIEF EXECUTIVE OF THE DUDLEY GROUP NHS FOUNDATION TRUST</p> <p>1. Do you have a general response to the fact that police are investigating?</p> <p>West Midlands Police investigated claims by two individuals that patients at Russells Hall Hospital were unlawfully restrained. That investigation has now concluded and they found no evidence that restraint has been used unlawfully.</p> <p>2. David Ore complained to his bosses about restraint and unnecessary force being used at the hospitals and was later accused of gross misconduct and sacked before being reinstated on appeal. He is being made redundant tomorrow. Was he removed for blowing the whistle about claims of restraint at the hospitals?</p> <p>No, David Ore was not removed for blowing the whistle. David Ore was found guilty of gross misconduct for fraud and dismissed from his post in April 2013. On appeal, his dismissal was commuted to final written warning. Only later, in December 2013,</p>	

did he expand his employment tribunal claim to include restraint of patients. Mr Ore's post of security manager is one of two posts affected by an organisational restructure and it is not related to his claims to be a whistleblower.

3. Mr Ore has been made an offer by the hospital trust that the disciplinary case against him will be dropped if he drops his employment tribunal and any future claims against the trust. Is this an attempt to gag him from speaking out in the public interest about serious concerns about patient safety?

No. This was the other way round. Mr Ore approached us with a proposal to settle. We did not approach him.

4. While some aspects of the investigation are concluded there remain two complaints about 'unnecessary force' that are subject to a further investigation.

Cases raised by David Ore and John Marchant have been closed as unfounded. Two more recent complaints of unnecessary force are being reviewed as a precaution.