

For the Record – Press Statements

Publication	The Sunday Times
Date of article	Sunday 16 th March 2014
Reporter	Martyn Halle
Headline	Whistleblower ‘blacklisted’ for exposing dozing nurses
First paragraph/s of article	<p>An NHS whistleblower believes she has been blacklisted for raising concerns about the conduct of agency nurses working at a failing hospital.</p> <p>Kate Clarke, a locum health worker, has not worked for the NHS since May 2010, shortly after making a string of allegations about standards of care at Russells Hall hospital in Dudley, West Midlands.</p>
Press enquiry	<p>Former healthcare assistant Kate Clarke has made allegations that her employment was ended because she whistle blew about her concerns at Russells Hall Hospital.</p> <p>Can we answer her allegations including the ones below, particularly about agency staff?</p> <ul style="list-style-type: none"> • <i>She lost her job twice due to whistle-blowing.</i> • <i>Agency nurses were sleeping on their 12 hour shift for up to four hours leaving the wards short staffed</i> • <i>These nurses were being out up in hotels at the hospital’s expense</i> • <i>Ms Clarke was suspended after allegations about neglect of the Second World war hero</i> • <i>But an investigation exonerated her and she was allowed to return to her a job</i>
Trust response	
<p>COMMENT FROM PAULA CLARK, CHIEF EXECUTIVE OF THE DUDLEY GROUP NHS FOUNDATION TRUST</p> <p>The Dudley Group is committed to creating an open an honest culture that encourages our staff to raise genuine concerns about malpractice and wrong doing</p>	

at the earliest opportunity. Our whistle blowing policy states that every member of staff has the right and duty to raise any matters of concern about health service issues associated with the organisation and delivery of care.

All staff have access to the Trust's intranet where they can raise concerns that go directly to my email inbox.

Ms Clarke raised a number of concerns in 2010 and we took her concerns very seriously. Senior members of the Trust were appointed to thoroughly investigate her concerns in accordance with the Trust's whistle blowing policy. The investigation involved a number of fact finding interviews with a range of staff.

Some of Ms Clarke's concerns had foundation and appropriate action was taken at the time. For example upon investigation we found that some staff were wearing fleeces in contravention of our Bare Below the Elbows infection control policies. As a result of our investigation, our infection control policies are rigorously reinforced.

Following concerns raised by Ms Clarke about staff sleeping while on shift, our senior nursing team including the Director of Nursing conducted night visits to spot check wards. We found no evidence of staff sleeping while on duty during the period the allegation was made. From the witnesses interviewed, the investigation into these claims could not corroborate the specific allegations.

High mortality indicators are not the same as high death rates. Mortality data collection is not designed or intended to identify 'unnecessary' or 'excess' deaths nor does it measure quality and safety. The numbers cannot be related into actual individual deaths but are statistical estimates only. Only recently, Professor Nick Black, Chair of the National Clinical Audit Advisory Group, conducting a review into mortality measures, said HSMR has no value because it gives... a misleading idea of the quality of care of a hospital.

Ms Clarke has never made an allegation to the Trust about witnessing a patient dying. However, patients on our wards are never more than 60 seconds away from another resus trolley in the event of an emergency. All our staff, both clinical and non clinical, know they can dial the nationally used crash number 2222 to summon our Medical Emergency Team from any telephone within the hospital when a patient is suffering a cardiac arrest.

Ms Clarke was not sacked from The Dudley Group NHS Foundation Trust, nor did she "lose her job twice". The Trust did not carry out an investigation into Ms Clarke for any wrong-doing. We carried out a thorough investigation into concerns she raised in line with our whistle blowing policy.

Ms Clarke never had a contract of employment with the Trust. Ms Clarke was a

Clinical Support Worker (CSW) who was employed by NHS Professionals and then by the Trust's staff bank. She has not worked in the Trust since May 2010.

We have no knowledge of accusations about Ms Clarke neglecting a World War Two veteran. In May 2010 we stopped using Ms Clarke to do shift work after colleagues raised concerns about her inappropriate behaviour.

It is simply not true that the Trust paid for nurses to stay overnight in hotels.

In a letter sent to her in 2011 summarising the conclusion of our investigation into her concerns, she was advised that she could resume her work with the staff bank if she wished. Ms Clarke informed us, however, that she had been offered a post with another organisation.

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For more information, contact Jackie Dietrich, Communications Manager for The Dudley Group NHS Foundation Trust on (01384) 244403