Whistleblowing in the NHS—has anything really changed?

**Embargo: 0001H UK time Wednesday 18 September**

A high-profile NHS whistleblower will today (Weds 18 Sept) address the Annual Congress of the Association of Anaesthetists of Great Britain and Ireland (AAGBI) in Dublin, Ireland. He will suggest how the culture of fear, intimidation, secrecy and gagging staff from speaking out in the NHS continues today.

Gary Walker was the Chief Executive of United Lincolnshire Hospitals NHS Trust from 2006 - 2010. Before that he was Chief Executive of Surrey and Sussex Healthcare, leading their organisational turnaround for one year, and has held numerous mid-to-high level management positions in the NHS since joining it in 1988.

According to Mr Walker, his force departure in 2010 came when he tried to alert NHS executives more senior than himself to serious overcrowding issues in Lincoln County Hospital, where he learned that his staff had been forced to house emergency admissions in beds that were in some cases so close that they were almost touching, and were also in insanitary and dangerous conditions.

He clashed with the Department of Health when he spoke out about bullying and harassment. “They were more interested in meeting targets than in patient safety” says Mr Walker, who has appeared on Sky News, BBC Newsnight, and other high profile media outlets in the UK to raise his concerns. He was dismissed from his job for what he describes as a ‘trumped-up’ charge of swearing, but was given £500,000 in a gagging order to ensure that he kept quiet about his concerns regarding the quality of care given to NHS patients. However, after the media surrounding the mid-Staffordshire Hospitals crisis, he decided to go public and risk having to repay the money.

“Raising concerns about a colleague or the quality of services is for many a significant challenge” he adds. “The reported ‘culture of fear’ and bullying that exists in the NHS is now widely evident. This is potentially the greatest risk to the delivery of safe, high quality care.”

“Since my departure, very little has changed in my view, despite the issuing of guidance and the banning of gagging clauses for the fourth time in the past decade since the introduction of the Public Interest Disclosure Act,” says Mr Walker. He will discuss how gagging clauses have been banned each time a serious case of poor care in the NHS arises. In the mid-Staffordshire investigation Robert Francis said these clauses were carefully worded to leave a “chilling effect” on the employee. “Irrespective of the gag there is an undertone of ‘sign the agreement or never work in the NHS again’,” adds Mr Walker.

“There is now, at least from media coverage, more political sensitivity to the issues of whistleblowing and recently the Government has amended the law and issued a call for evidence*. But for now staff continue to fear blowing the whistle. Mr Walker will present evidence from a recent NHS survey (2012)** suggesting that 23% of NHS staff said they would not speak out for fear of being bullied by a colleague or manager. Other statistics relating to this issue will also be discussed.
He will also discuss a current case in central England where approximately 100 patients have come to harm and a GP and nurse that raised their concerns have been dismissed. After legal action the GP was recently paid £150,000 with a gagging order that forbids them raising any issue or discussing any patient safety concerns. Indeed the GP is unable to discuss the fact the gagging order exists. More worryingly the patients or their relatives still do not know that their harm or death was avoidable.

"I want other NHS staff to be able to speak freely about issues that concern them without going through what I went through: stress, isolation, false accusations, legal fees of £120k, nearly losing my home, selling my assets, and the break-up of my 6 year relationship." he concludes.

AAGBI President Dr William Harrop-Griffiths said 'Patient Safety is the AAGBI's first and foremost concern. Anaesthetists and all NHS staff must be able to raise patient safety concerns without fear. The AAGBI supports an open safety culture for the NHS and its patients”

AAGBI has also issued a response to the Francis Report on the Mid-Staffordshire Hospital scandal, making clear the Association “encourages its members to speak out whenever they are concerned that patient safety may be compromised”. The statement concludes: “The Council of the AAGBI believes that the question that every healthcare professional should ask themselves is ‘would I want this sort of care for my family?’”.

To interview Gary Walker: T) +44 (0) 843 289 5599 I +44 (0)7747 082000 E) gary.walker@modernleader.co.uk

Note to editors:

For full AAGBI response to the Francis Report, see: aagbi.org/news/aagbi-responds-francis-report

Mr Walker has provided the following link to a Daily Mail article from earlier this year as background to his story: http://www.dailymail.co.uk/news/article-2279458/Its-like-Stalins-Russia--speak-youre-crushed-NHS-whistleblower-reveals-bosses-bid-gag-ruined-life.html


*call for evidence can be found here: https://www.gov.uk/government/consultations/whistleblowing-framework-call-for-evidence

**NHS survey (accessed 1 September 2013) http://www.nhsstaffsurveys.com

AAGBI contact:

Karin Pappenheim, Executive Director, AAGBI
T) +44 (0) 20 7631 8802; +44 (0) 7825 295745 E) karinpappenheim@aagbi.org

Varsha Ramani, Communications Manager, AAGBI
T) +44 (0) 20 7631 8854; +44 (0) 7825 299549 E) varsharamani@aagbi.org

Alternative contact: Tony Kirby of Tony Kirby PR Ltd. T) +44 7834 385827 E) tony@tonykirby.com

About the AAGBI
The Association of Anaesthetists of Great Britain and Ireland (AAGBI) is the leading membership body for over 10,500 anaesthetists in the UK and Ireland. The AAGBI promotes patient care, safety and advances anaesthesia through education, publications, research and international work, as well as the professional aspects of the specialty.

To find out more about the work of the AAGBI, visit [www.aagbi.org](http://www.aagbi.org)

**About the AAGBI Annual Congress 2013**

Annual Congress is the flagship event of the AAGBI and the 2013 conference is being held at Dublin from 18-20 September. The Annual Congress is one of the leading anaesthetic meetings, with an attendance of around 800-1000 national and international delegates. It features informative sessions, high profile speakers and an extensive trade exhibition. Aimed at all levels of anaesthetists from trainees to consultants, it is a European CPD accredited meeting.

For more information on the meeting, please visit [www.annualcongress.org](http://www.annualcongress.org)