

Dame Ruth May
Chief Nursing Officer and Executive/National Director
NHS England and NHS Improvement

7 March 2023

Dear Ruth,

In August last year PHSO triggered the Emerging Concerns Protocol due to significant concerns regarding the culture and leadership at University Hospitals Birmingham NHS Foundation Trust (UHB). These concerns were brought into focus by an investigation where we found a death was avoidable, but Trust leadership refused to accept our findings.

Parties to the Emerging Concerns Protocol, including PHSO, agreed that NHS England was the appropriate partner to coordinate action regarding UHB and we welcomed the announcement of the three commissioned reviews, the first due to publish findings in March 2023.

We had understood that PHSO would be able to participate in the second and third reviews relating to leadership and culture. However, we have recently been advised that, in common with other interested organisations, we are not able to be a full participant in the well-led review. As a partner that holds valuable insight and evidence about the issues under consideration within the three reviews, we are disappointed not to have the opportunity to actively contribute.

PHSO's exclusion from the review process leaves me concerned about the completeness and transparency of the reviews. I share the goal of other partners in wanting to see improvements at UHB and believe that taking an inclusive approach to the reviews is the best way to achieve that goal.

Through our interactions with the previous leadership team at UHB, we have been very concerned by their dismissive attitude in response to complaints about serious patient safety incidents. We have not seen evidence of a culture of accountability, nor a willingness to learn from past failings. These insights are directly relevant to the well-led review. Through the Emerging Concerns Protocol, it has become clear that other oversight bodies and regulators share similar concerns relating to the culture at UHB.



Millbank Tower
Millbank
London SW1P 4QP

Telephone: 0300 061 4053
Email: Amanda.Amroliwala@ombudsman.org.uk
www.ombudsman.org.uk

I would be grateful to understand why partner organisations are not able to fully contribute to the well-led review and to understand how we might best share evidence that we believe points to risk to both patients and staff at UHB. I look forward to hearing from you and am of course happy to discuss at any time.

Amanda Amroliwala CBE
Chief Executive Officer
Parliamentary and Health Service Ombudsman



Millbank Tower
Millbank
London SW1P 4QP

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