



Jonathan Brotherton  
Chief Executive  
University Hospitals Birmingham NHS Foundation Trust

7 March 2023

Dear Mr Brotherton,

As you may be aware, in August 2022, PHSO triggered the Emerging Concerns Protocol because of serious concerns regarding the leadership response to patient safety incidents at UHB.

As an organisation committed to learning, PHSO understand that things can go wrong and patients can experience serious harm as a result. However, when this happens, we expect candour, transparency and a commitment to improve to ensure such failings do not happen again.

Unfortunately, PHSO has not seen this response in previous engagement with UHB. We have been concerned by the defensiveness of some senior leaders at the Trust in relation to recent and ongoing investigations, eroding confidence that there is a willingness to accept accountability or learn from failings.

We have recently seen some engagement with our investigation recommendations. However, there are a number of recommendations from PHSO investigations that UHB have not yet complied with. We have found UHB to be consistently slow in responding to requests for information with multiple reminders necessary before relevant information is provided. This adds to the delay in responding to complainants, which contributes to the distress they may have already experienced.

Moving forward, PHSO hopes for a more constructive and engaged approach in respect of our investigations and the learning that arises from them. We have a shared aim of ensuring that patient safety incidents are not repeated.



Millbank Tower  
Millbank  
London SW1P 4QP

Telephone: 0300 061 4053  
Email: [Amanda.Amroliwala@ombudsman.org.uk](mailto:Amanda.Amroliwala@ombudsman.org.uk)  
[www.ombudsman.org.uk](http://www.ombudsman.org.uk)

The NHS is under great pressure but it is in these times that leaders have a responsibility to promote a culture of transparency, accountability and learning for the benefit of patients and staff. I would welcome the opportunity to discuss with you how we can forge the most constructive working relationship between our two organisations going forward.

Yours sincerely

**Amanda Amroliwala CBE**  
**Chief Executive Officer**  
Parliamentary and Health Service Ombudsman