



## East Hampshire, Fareham and Gosport Primary Care Trusts

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8 September 2005

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### PRIVATE AND CONFIDENTIAL

Mr D W Wilson

**Code A**

Dear Mr Wilson

#### Re: The late Mrs Dulcie Middleton

Thank you for your letter of 1<sup>st</sup> September received at my office on 5<sup>th</sup>.

I will respond to the points you have raised in the same order that you have set them out, for ease of reference.

With reference to your request to meet for clarification of the then Acting Chief Executive's response to Mrs Bulbeck made on 3<sup>rd</sup> October 2002, I do not feel that there will be any benefit in meeting three years after the event, particularly since I have responded in writing to the issues you have raised in your recent correspondence and given reasons to the stance taken when it has not been possible to provide the information requested.

I note your comments about the Data Protection Act 1998. Information about case law can be sought from The Department for Constitutional Affairs, web address: <http://www.dca.gov.uk/>.

I understand that you spoke with Mrs Williams, Complaints and Litigation Manager on 31 August, when you shared that you had made contact with the Nursing and Midwifery Council. I confirm that the PCT will consider any request received from the Council. I cannot, of course, comment on any information that you may have received from them.

With regard to action that was taken as a result of Mrs Bulbeck's complaint, as stated in Mr Pickering's letter of 3<sup>rd</sup> October 2002, I confirm that:

- Increased training was undertaken by junior qualified staff in the planning of care
- A senior nurse was appointed to work with staff to develop their documentation skills
- The set of national standards entitled Essence of Care was applied throughout the PCT and continues to be used.
- Staff training on complaints handling was undertaken in order to develop a better understanding of patient and relative concerns including how best to identify and deal with them.

The Primary Care Trust uses a system of regular reviews to monitor its staff performance and employs a Disciplinary Procedure when an employee's work or conduct is unsatisfactory. The PCT recognises however that people are a key resource and invests in training and development activities to maximise this resource as demonstrated in the actions outlined above.

PCT staff complete a vigorous interview process prior to employment, which including interviews, personal matching against a person specification, reference checks and, where appropriate, a check of medical/nursing registration.

I am not able to confirm or deny that NHS officials have made complaints about the way the PCT disciplines its staff neither am I prepared to comment on any unsubstantiated allegations.

As was demonstrated in 2002, every complaint received by the PCT is acknowledged, responded to and an opportunity provided to seek clarification following receipt of the formal response. The current NHS Complaints procedure, implemented on 30 July 2004, gives complainants the right to request that the Healthcare Commission consider an independent review of their case within 2 months of receipt of the letter of response, if the complainant remains dissatisfied. If the Healthcare Commission is unable to obtain a satisfactory resolution; referral to the Ombudsman is the final recourse. Since Mrs Bulbeck did not take up the offer to meet with Mr Pickering at the time, I believe the PCT discharged its duty under the regulations at that time. However, as previously stated, the PCT will consider a request received from the Nursing and Midwifery Council or the Ombudsman to review the file. I attach a copy of the Ombudsman's leaflet for information.

Yours sincerely

**Code A**

John Wilderspin  
**Chief Executive**  
East Hampshire, Fareham and Gosport PCTs

Enc - leaflet