

**East Hampshire, Fareham and Gosport Primary Care Trusts**

Unit 180, Fareham Reach
166 Fareham Road
Gosport
PO13 0FH

5 August 2005

Tel 01329 233447
Fax 01329 234984

PRIVATE AND CONFIDENTIAL

Code A

Dear **Code A**

Re: The late Mrs Dulcie Middleton

Thank you for your letter of 28 July 2005 the contents of which are noted.

As stated in my letter of 22 July 2005, I am not able to provide **Code A** with any personal information about staff involved in the late Mrs Dulcie Middleton's care. The Primary Care Trust is under a contractual duty to members of staff to maintain a relationship of trust and confidence that would be breached if I provided such information.

I note from the file that Mr Pickering, Acting Chief Executive, responded in detail on 3 October 2002 to the issues raised by **Code A**. In addition he offered to meet to provide clarification of any points or to discuss the complaint further if that was helpful. However the opportunity to meet with him was not taken up.

I reiterate that the Primary Care Trust is vicariously liable for any negligent acts or omissions of its staff and you are liberty to take any steps against the PCT that you consider appropriate.

Yours sincerely

John Wilderspin
Chief Executive
East Hampshire, Fareham and Gosport PCTs

Code A28th July 2005

Mr J Wilderspin
 Chief Executive
 East Hampshire and Fareham and Gosport
 Primary Care Trusts
 Unit 180
 Fareham Reach
 166 Fareham Road
 Gosport
 PO13 0FH

Code A

Telephone:

Email:

Your ref:

My ref: C:\DM\NHS\DWV

Doc: 07282005.1

CAUTION

Only read the content of
 this communication if you
 are the intended recipient

Code A

Dear Mr Wilderspin

Re: The late Mrs Dulcie Middleton

Thank you for your letter dated 22 July 2005.

I hereby confirm that should a decision be taken to commence proceedings against the Trust, the Trust will be invited to enter into a pre-action protocol. The family was informed at the outset that each doctor and nurse would be held accountable for their actions (or lack of action)

It appears that the Trust has not taken any action against any of its employees who were involved in "caring" for Mrs Middleton (my aunt, not my mother) and yet the Trust has apologised for its sub standard care.

Please confirm whether any member of staff has been disciplined in any way as a result of events arising out of the investigation into matters concerning the care of Mrs Middleton.

If there has been any action taken in any form in respect of members of staff concerning the care, or lack of care, provided to Mrs Middleton, please provide the name of the member of staff and the action taken.

Please provide a copy of the document (or the title of the document if you cannot provide a copy) which maintains the Trust is under a contractual duty not to disclose the names of staff involved in the provision of care to Mrs D Middleton as I believe that the Trust is under a duty to patients and family of patients to provide details of staff who are the subject of complaints..

Please provide a list of the names of the staff who were involved in providing nursing and medical care to Mrs D Middleton, whilst she received treatment at Gosport War Memorial Hospital, in order that complaints may be made against named individuals to the General Medical Council and the Nursing & Midwifery Council.

Please detail specifically the sub standard care for which the Trust has apologised.

Your prompt response would be appreciated.

Yours sincerely,

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22 July 2005

Code A

Dear **Code A**

I am writing further to your letter of 23rd June requesting information on behalf of the family of **Code A**

I regret that I cannot provide you with the names of staff interviewed in connection with your late mother's care. The Trust is under a contractual duty to those members of staff to maintain a relationship of trust and confidence which would be breached if I provided you with their names. However, the Trust is vicariously liable for any negligent acts or omissions of its staff. Therefore, although I cannot provide you with the names of the individuals concerned, this will not prevent you from taking any steps against the Trust (as the employer of the individuals concerned) which you consider appropriate.

Yours sincerely

John Wilderspin
Chief Executive
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22 July 2005

Code A

John
 This is wording
 suggested by the
 solicitor

Code A

22/7

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