



Registered Charity: 1102282

Compassion in Care

**Breaking the chain of elderly abuse
Complacency - Ignorance - Denial - Silence**

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Second Response To The Charity Commission
From the Trustees of Compassion in Care
26th August 2020

The small charities coalition were meant to help us put this document together but we have been unable to contact them so we are putting this together as best we can on our own given our helpline commitments. We have done our best to answer your questions. Please note that our website is fairly new, and we have had to transfer considerable content from our old site onto our new site. There may be snags with some of the layout, but we are gradually fixing things.

We have listed your questions below and have also referred to statements made in the letter, but which are not listed as questions. We have done our best to answer everything.

1. Why does the charity website not mention a helpline, what it does, specifically who its beneficiaries are, or when it is open?

At the top of the home page the phone number is listed 07763 066063.

At the bottom of the home page “Do you need Help?” The number 07763 066063 is listed again.

On the home page at top there is a moving gallery with reference to the helpline and the evidence gathered.

The email auto-acknowledgement and the phone answerphone message state the days and times available.

2. How are beneficiaries aware that a helpline exists?

The number is on the home page at the top and at the bottom, so it is the first thing seen in the centre. We also have all our contact details on our social media pages. We have been contacted by nearly thirteen thousand people. We would like to publicise the helpline more in future but have not had the resources to do this. People who need help are also referred to us by other groups and by word of mouth. Like other charities we get massive increase in calls after media coverage highlighting our helpline to people who need help.

3. What contact number does it operate from?

The number listed on our website 07763 066063.

4. Does the Charity have an office and staff or volunteers who operate the helpline?

Please see last 3 years accounts (sent to you as requested) our average annual income over the last 3 years was £9873. We cannot afford an office. We run the charity from home, we have no paid staff, volunteers assist. Eileen Chubb runs the helpline and assesses all calls according to remit of charity, level of vulnerability, family member or whistleblower.

5. What action is taken to avoid calls from individuals who are not beneficiaries of the charity?

All callers that are not beneficiaries of the charity are referred to other sources of help if possible. Examples: Whistleblowers from sectors other than care are given Eileen's landline number 01689 875604 which

is paid for by Mr Honour and asked to call on Thursday or Fridays or after 4pm, which are outside the charity helpline times. They are then referred on to The Whistler according to need. We get a tiny percentage of calls from members of the public which do not come under our remit, where the caller misunderstands the term whistleblower and we politely explain that complaints about utilities etc are best dealt with by the Citizens Advice Bureau. We try to refer them to someone who can help wherever possible.

6. What action do the trustees intend to take so that the helpline is focussed on fulfilling the charity objects for its beneficiaries? We are worried this question implies that action is needed when we are unaware of any problem.

The helpline in everything it does is focused on its beneficiaries. Typical examples of helpline calls from an average day's work taken from real case files:

An elderly man living in a care home became unwell and unresponsive, his daughter contacted us highly distressed. We ascertained that the man was on sedative drugs recently prescribed and his daughter believed her father was also dehydrated but was not on a drip as he was expected to die. I advised that the daughter immediately ask the hospital to give her father fluids. I was contacted back the next day and told her father had completely recovered and was sitting up. The advice had saved her father's life, he returned to a different care home, he was taken off sedative drugs and died 4 years later.

A daughter contacted us, told us her mother was in a nursing home, had a wound on her leg and that the nurses kept telling the family that all was fine but her mother had been screaming in agony for nearly two weeks and that the wound now smelt dreadful, the family got an ambulance called, the mother had live maggots in the wound. Most of her foot was amputated but she

did not regain consciousness and died a few hours later. Safeguarding investigated and found nothing wrong. The family wanted the truth. We looked at the records and found the home had a poor history of wound care but the reports had been archived by the CQC, so the family did not know of the history. We wrote a report and the daughter said "it has given us the truth and closure so we can grieve as safeguarding had caused so much distress".

A Whistleblower working in a nursing home contacted us. The Whistleblower had some very basic spoken English but struggled with written English. She had reported her concerns about elderly people being left in their rooms without food or drink for long periods of the day due to staffing levels being way too low. Her concerns were ignored, and she wanted help to make a written whistleblowing report. One of our volunteers is a language teacher whistleblower who is fluent in the carer's language and assisted her to make a detailed written report of all her concerns in English which included that this charity had provided the assistance. The staffing levels were immediately increased, and the care improved overnight.

We have many Whistleblowers from different sectors who volunteer to help Compassion In Care. Their skills are invaluable, for example we have police whistleblower volunteers who have advised families of abuse victims how to obtain and present evidence, given us advice on "cuckoo-ing" cases where elderly people living at home, receiving home care, sometimes with a learning disability, have been at risk.

We have financial industry Whistleblowers who volunteer to advise in cases of suspected fraud of elderly people's money.

We have care Whistleblowers who help other care Whistleblowers with practical help such as going with them to disciplinaries or tribunals. Care

Whistleblowers who support Whistleblowers outside the care sector

We have a wide range of education Whistleblowers who volunteer with language or literacy barriers in raising concerns to an employer or safeguarding or accompanying a care whistleblower to a tribunal as the same law and system covers all whistleblowing cases, and those from any sector who have been through a PIDA case are invaluable support to those at the beginning of a case.

Eileen Chubb has sat in on or taken part via telephone conference calls with families who are challenging safeguarding inquiries. She has assisted by pointing out evidence that contradicts safeguarding conclusions. She has written hundreds of letters to authorities on behalf of families. She advises both families and Whistleblowers how to make subject access requests or freedom of information requests to obtain evidence.

These are just a few examples of our work every day. We think we have also answered the support in meetings question.

We have assisted both Whistleblowers and families to obtain SAR requests, to date we have supported 3000 plus cases on this one issue alone.

7. What does this support consist of?

We have answered that above but to summarise again:

- . emotional support**
- . practical support**
- . taking part in meetings when safeguarding boards have failed to investigate.**
- . writing letters**

- . accessing relevant evidence
- . attending tribunals
- . giving advice on what to look for in a care home
- . stopping people being evicted from care homes because relatives had raised concerns about care.
- . identifying common themes in helpline calls and raising awareness about particular issues by writing themed reports on the data.
- . Helping people obtain evidence via SAR or FOI requests.
- . saving lives and improving care provision.

8. Who provides the support?

Eileen Chubb mainly with volunteer assistance.

9. Is the support restricted to beneficiaries of the charity ie related to care settings?

Yes.

10. Does the charity obtain, fund or advise on the use of legal advice during the provision of support?

No. We do not obtain or fund legal advice, we refer people to CAB for advice or to do an online search for "find a legal advisor" on the gov.uk site and to look for an hour's free advice and we suggest getting a range of advice before deciding. We have a strict policy of not recommending any law firm because we believe this would cause a conflict of interest.

11. Why is there no literature on the charity's website? Please forward some examples.

We are worried about this statement as at the last count a long time ago, we had fourteen thousand pages of information on our website, a small selection of examples:

[Covid crisis 9 helpline data deaths in care homes](#)

[The link between whistleblowing Care home staff sacked for reporting concerns](#)

[The governments care home policy during covid](#)

[Home Care special report](#)

[Our helpline remains open as usual during covid](#)

[Alton House Elderly care home closure](#)

[A special report on Homophobic abuse in elderly care homes](#)

[Our FOI exposing how much public money spent on poor elderly care](#)

[letter to CQC on behalf of family permission to publish calling time on poor care](#)

[attending parliament in support of Gosport familys and PHSO the facts](#)

[our policy on CCTV special report why CCTV fails](#)

[special report on rat infested overton house edlerly care home](#)

[safeguarding shambles report on failures to investigate abuse](#)

[When looking for care home read all the reports](#)

[Vital information withheld from public looking for a care home](#)

[Our response to the Hillgreen rape scandal](#)

[our response to the pharmacists in care homes plan](#)

[first report on CCTV in care homes what you need to know](#)

This is about 5% of our website content if you need more please let us know. The charity is renowned for the huge amount of work and evidence we produce every month.

12. The trustees attend events to educate the public and specific groups on issues of abuse of the elderly. The charity does not have an object to educate the general public.

There seems to be a misunderstanding. It is our policy to provide public speakers on request for free as long as travel costs are covered and the event is being hosted by a reputable organisation, we would not for example speak at or associate with racist or discriminatory organisations. We believe many charities provide speakers on request.

13. How does attendance at events at Birkbeck College, Greenwich University, and the Centre of Investigative Journalism further the objects of the charity?

We were asked to provide speakers on the issues of whistleblowing in care and we did: Eileen Chubb, and another whistleblower from the elderly care sector, an NHS whistleblower and a homecare whistleblower. These universities are reputable, and we saw no reason not to attend. Greenwich University has an interest in whistleblowing law, Birkbeck wanted to learn more about the issues. We were not the only charity attending some of these events.

Re the CIJ we attended a session of their summer school. Our helpline data identified a recurring theme from helpline calls that both families and Whistleblowers were finding it much harder to get the press to highlight their stories. We gave a talk on this theme and explained to journalism students how important it was to listen for longer as often relatives and Whistleblowers are traumatised and grief-stricken and that it may take several phone calls to see the full story. We identified a problem and initiated an action to deal with it.

We are listed correctly on the Charity Commission website. what we do, who we help and how. We have saved hundreds of lives and improved standards of care.

Speakers are provided on request. The largest groups are retired members' groups at Congress House in London, and various other venues. Those in the room will invariably be facing care or have a relative in care. We have spoken at the National Pensioners Convention in Blackpool and at local branches of Amnesty International.

14.The trustees claim to carry out activities for the advancement of health or saving lives, and for those who have a disability. These are not objects of the charity and it is not clear how such activities would fall within the objects of the charity.

On the charity commission website our objects are listed, we do not understand the above statement. Our evidenced work clearly demonstrates how we meet our objects

15. Explain what activities are carried out for the advancement of health and saving lives?

We have answered that via question 6. We give advice and practical help that saves lives every day via our helpline, please see Q6. We also campaign for law change to save lives of the future. We have comprehensive evidence in support of this.

16. How are activities focussed on those with a disability?

Those in care settings have a disability of some kind and that is why they need care. Some Whistleblowers can have disabilities.

17. Does undercover reporting only happen as a result of Whistleblowing reported from those within care settings, and if not from what other sources?

The charity has progressed and learnt that reports on multiple homes are more effective.

Re perception of journalism. Eileen Chubb is classed as a journalist because she is an author and researcher. Research is listed as part of our work on the charity commission website.

Her skills are assets to the charity; indeed, this charity was the first to expose care home evictions and banned relatives. The amount of cases of this happening has drastically reduced as a result of our work highlighting this to the Health Department and coverage by the Victoria Derbyshire Show. The aims of the charity are met in all the work we do. The

undercover reports we have been told in feedback have helped many people to learn what to look for in a home.

18. How do trustees gain access to care settings to carry out undercover reports?

As we said we have progressed from that undercover reporting to now publishing reports about themes involving many care homes at a time. We never reveal which homes we received concerns about as it would identify the Whistleblower raising them. We include random homes for that reason.

We no longer undertake undercover visits as I said above, but when we did it was undertaken in the same way families are advised to look at homes, ie don't make an appointment, turn up ask to look round for a relative.

19. Do trustees report allegations of abuse to care homes for action to be taken?

No it would identify Whistleblowers. We have a strict policy of confirming the abuse has been reported to the home and the authorities It would identify the whistleblower and put them at serious risk if we then reported the exact same concerns as it would identify they had contacted us. As I said in response to question 6 we do everything we can to assist the whistleblower to report the allegations. I must stress that from over thirteen thousand helpline contacts, 90% have already reported the abuse to the care home or to the authorities. We have a strict policy of confirming this has been done.

20. Do trustees report allegations to CQC for action to be taken?

CQC are already aware of the allegations. See response to previous question.

21. Why does the charity website not contain a link directly to care setting reports on the CQC website?

It would amount to misleading the public and would seriously impact on the trust of those contacting us about hundreds of appalling care homes rated good by the CQC. At the last count 94% of all helpline contacts were raising concerns about poor care in care homes that were rated GOOD by the CQC.

22. Most of the undercover reports were undertaken years ago so how do these provide a current resource for relatives looking for care settings?

Families have told us that our “Tales of the Uninspected” reports have been really helpful as these issues never change, what you will be looking for in a care home today will be the same in 20 years from now.

23. In assisting relatives to find potential care settings, what activities are carried out to identify good care settings or how to distinguish good standards within care settings?

We advise families that all relevant care home reports should be read and that includes reports archived. We talk through their individual relative’s needs and advise according to that. There is no “one size fits all”. People feel pressured to find a home quickly

because the discharge is usually from hospital, we support people to not feel pressured and to look at several homes. We also refer people to care home directory for a list of all homes in their area and we talk them through each one if required. We have feedback that confirms people feel supported by us through this process

24 Mrs Chubb refers to herself as journalist and her diary of events supports the view of joint working with the media.

Firstly, we do not work jointly with the media, this is completely untrue we give quotes on stories in exactly the same way as any other charity. Calls from the media are about 2% of the time in our working week and amount to giving a quote on something. We do not have a diary of events. we publish our daily work record which is apart from the helpline, research and written reports for the charity website. because if you looked at the workbook of any press officer in any charity you would find the same type of details. I run the helpline and the press office just because I combine details of work undertaken due to pressures of time. There is nothing at all wrong with having a press office.

Our yearly report contains hundreds of individual work tasks undertaken daily by this charity we feel it's very unfair to just look at 6 media inquiry's for example the reports we publish take on average 20 hours of work for the smaller reports. In comparison the media inquiries for all six items you mentioned took around 25 minutes in total. Media inquiries are a tiny percentage of our daily work.

Our work for the year reports are published on our website we have never received concerns about anything, only comments congratulating us on the sheer volume of work we do every month highlighting dozens of specific issues relating to elderly care. We are concerned at the statements being made as they do not appear to be

questions, but statements and they are not factual. The complainant has this issue with the ICO but as I will refer to later there was absolutely no evidence to support it, on the contrary there is comprehensive to prove it's a malicious allegation.

The following two stories were written in The Guardian newspaper, not by me but by a journalist who has written about dozens of other charities, the time spent with the journalist overall. No time, the journalist was sent an embargoed copy of our report which went out to all media contacts by email 12 hours before publication, time spent on email around 15 minutes in total. (Time spent writing the actual report on our website including research 4 Days)

[Whistleblowers sacked for reporting care concerns](#)

[170 care staff call whistleblower helpline](#)

As a direct result of these stories we were approached by a charitable trust and told we had been identified for funding because we were doing vital front-line work and they thought the work of the charity was incredible. Also, as a direct result of that media coverage over a hundred more care staff contacted us for help.

This charity could not stop the abuse, save lives and support the vulnerable without the media. It is not just a useful thing to do, it is vital.

Speaking to journalists and giving advice means their story will be told accurately and good will come of it. All press contacts are unsolicited. People who need our help find us because of media coverage, media coverage is why we can help so many people.

We have had other ideas, but we have not had sufficient funding to carry them out. Please see our Accounts.

Do we receive funds to support media inquiry's?

Our funding is mainly from members of the public who donate after reading about a quote we have given in a media article. We need these vital donations. The content on the website is helpline data evidence highlighting themes that need to be highlighted. All our public donations come as a RESULT of media articles written about our work. We only receive general donations and we use our yearly budget to ensure we can help as many people as possible.

We do not do joint investigations with the media. Private Eye were good enough to credit the charity with discovering the 100 closed homes story because we discovered the list. That was it one story. The other stories we gave quotes on just as many other charities do in the course of their work.

26. Does the charity or a trustee receive funds to support media enquiries?

We have NEVER received funds to support media inquiries. This allegation has been repeated by the complainant during her campaign of allegations. There is no evidence whatsoever in support of this. We have some families and Whistleblowers who contact us and ask to speak to someone in the media, we have a policy of not suggesting the media are contacted the request must come from the helpline caller before we put them in touch with someone. All our average income of under 10k comes from general donations after media coverage.

27. How does supporting the media further the charity's objects?

See answer 24. Firstly we do not support the media. We are contacted, unsolicited, by the media and asked for

help or advice just like any other press office. The benefit to the charity is that it helps us meet all our aims. Simply having a website would not have the same impact as the work of the charity being in a national newspaper. It brings our helpline to the attention of the people who need our help, Families and Whistleblowers, after most media coverage we receive between 20% and 60% increase in helpline contacts, The Media coverage is crucial in highlighting our helpline so people who need help can find us.

28. What exactly do the articles in Private Eye demonstrate about the work of the charity?

I believe I have answered this above. People can find us who need help and it brings in vital donations. We also ensure that people who need information on care homes are given all the information they need to have. When we have discovered the regulator is not provided accurate information we highlight this on our website then we are contacted by the media about the reports we have published for our beneficiaries.

29. How do you know media coverage brings in public donations?

We have had hundreds of emails and letters starting with things such as "I read your story in the Daily Mail, Guardian etc. Enclosed is a donation for your charity's amazing work". All our public donations come from media coverage and we could not survive without it.

30. How exactly is media coverage used to measure the quality of the charity's activities?

We publish our work on the website this can be picked up by the media, we are often highlighting issues that

have never been identified before, we were the first to highlight evictions and visiting restrictions, The registration of old providers as new, Homophobic abuse, these are just a few examples of our work,

I think this question has been asked but not numbered in your letter.

We checked the rules on campaigning. Edna's Law is based on all our helpline data. We know what the problems are, we know what the solution is too. This charity is trying to negate the need for its services by campaigning for what we know would stop abuse and save lives.

Our political policy is to follow MPs from the main parties in equal numbers, we do not mention political issues during election time, we state clearly that we have no political allegiance. It is not our sole activity.

31 How would Edna's Law protect people?

All explanation for this is on our website and <https://www.change.org/p/protect-the-protectors-with-edna-s-law-need-one-law-for-all-whistleblowers>

about how it will save lives etc.

Please see the above. We cannot summarise this in a few brief lines but all the evidence is on the link and it clearly meets the charity's aims. Edna's law is based on 8000 Whistleblowers who have contacted us. It's also laid out in detail in Eileen's book.

31. How does this campaigning further or support the objects of the charity?

Please see above Q30 and Q31. In every single way we know what the causes of abuse are, we want to stop abuse via breaking the chain of abuse.

32 **How** does the political activity further or support the objects of the charity?

We are not even sure that our campaigning for Edna's Law could be termed political in itself, but we need to contact politicians of all main parties as part of the campaign. If you read all the evidence contained in the petition for Edna's law, you will see why it will stop abuse. We have also gathered extensive research on why the current law has completely failed. We cannot change the law without campaigning.

33. To what extent is campaigning and political activity the charity's main or only activity?

Its not at all a sole activity but part of a large volume of other work, see previous page

The questions in the body of the report unnumbered have caused considerable confusion we have answered question 33 on the previous page.

Please see Q32. It is not the charity's main or only activity as demonstrated in all previous responses.

Re the whistler

We have looked at other charities setting up self-help groups and looked at the Independent Age website re sister site advice. Ms Chubb co-founded The Whistler. To remove that from The Whistler website would mislead the public. The Whistler supports whistleblowers outside healthcare, however those same whistleblowers volunteer their time and crucial experience from various sectors in helping this charity's beneficiaries, ie care whistleblowers and families.

Please see our answer in Q6. We have hundreds of cases logged with such help given. We do not understand why volunteers cannot be Whistleblowers from other sectors. It would deprive our beneficiaries of vital and lifesaving support.

34. Why does The Whistler website quote the same contact number as the charity?

Please see Q35. Calls are separated, but Eileen has to assess contacts to ensure they are referred on correctly. Other sectors are contacted back outside the charity helpline hours.

35 Why does The Whistler use the charity email.

It does not use the charity email, nobody involved with The Whistler uses the charity email, they do not have access to it. It is simply displayed on The Whistler website.

Because The Whistler is referred Whistleblowers from non-care sectors by Eileen Chubb and she needs to speak to them first which she does in her own time on her home landline which is paid for by Mr Honour. It does not come from charity funds. There is a full assessment. Eileen has two decades helpline experience.

36. What is meant by 'please visit our sister site The Whistler'?

As said above, we looked for guidance and the only charity we could find which mentioned any associated sites was Independent Age, so we copied their term for want of a better one.

Our charity mentions only one other website which is very relevant to the charity's work.

37. How is this connection in the charity's best interests?

The Whistler is a self-help group of Whistleblowers from various sectors who are all loyal supporters of Compassion in Care. Their combined energy and expertise are of huge benefit to the charity's beneficiaries and aims, as explained in earlier responses. Please see also earlier responses eg Q6 for how they help our beneficiaries directly in practical ways. ie teacher Whistleblowers helping care home Whistleblowers with language or literacy barriers, police Whistleblowers helping families of elderly abuse victims gather evidence

38. How do the trustees ensure the charity's public image and reputation is protected on The Whistler?

Since the website was created by a volunteer and approved by the trustees, it has very rarely been updated. Before any updates are done, we discuss it. It brings more awareness of the charity's work and it costs us nothing in money or time. The charity's image and reputation is enhanced by it. It directly benefits our beneficiaries and it helps us with research on issues affecting all sectors. Edna's law has to protect all Whistleblowers equally or it would not comply with the rule of law requirement.

We undertake research every day to meet our objects, technically research is considered a form of journalism but it does not automatically follow that this charity is journalistic in any way, yes I am considered a journalist as I am a published Author but being an author of books is not a disadvantage to the charity its an asset. Yes, I am a member of the NUJ but I have been a member of a union all my working life and joined the NUJ two years ago when I realised authors could

join. They are a very good union with lots of educational courses that I can access for free which helps me update my research and computer skills to the benefit of my work for the charity

I think we have answered your questions fully and honestly. If we have misunderstood anything then please let us know. We want to fully cooperate even though we have huge demands on our time and no paid staff we will do our best to explain anything that needs further clarification,

I have attached a letter written to the ICO this week which is relevant as WBUK Halford Hall and associates have been mis-using their Parliamentary position to influence investigations they instigated maliciously. I am sure you will be equally concerned by the tweet from WBUK this week, which is included in the letter.

Yours sincerely

Eileen Chubb, Stephen Honour and Maggie Roffy.

