



COMPASSION IN CARE

Reg. Charity No. 1102282
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22nd August 2017

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Mr Jeremy Hunt
Secretary of State for Health
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Dear Mr Hunt,

The history leading up to the current concerns about CQC:

Private Eye 1261 May 2010 Poor Care Ignored

"Eileen Chubb has found that many of the homes have been given clean bills of health by inspectors even when alarm bells should have been ringing...."

Private Eye issues re Southern Cross

Private Eye extract 1264 June 2010 An inspector Appals .

"Mrs Chubb is to meet CQC officials this week to voice her concerns about the inspection regime, including too great a reliance on self-assessment by home managers, too little disciplinary or criminal sanctions for serious cases of abuse and neglect and too much influence from the care industry itself...."

Private Eye extract Southern Dross 1265 July 2010

"But as Mrs Chubb who Runs Compassion In Care points out just seven months before police were called in to investigate Mrs Wordingham's death in St Michael's View the home was rated by the CQC as two star Good "

Private Eye Extract 1266 July 2010 See No Evil

"Eileen Chubb says it beggars belief... CQC reports are not worth the paper they are written on..."

Private Eye Extract 1267 August 2010 Cross Examination

"Mr Brown a Nurse who first blew the whistle on the state of the home in 2001...the home's grim culture appears untouched..."

Private Eye Extract 1272 Oct 2010 Very Southern Cross Indeed

"Perhaps things might improve if the CQC were less reliant on the care home industry itself CQCs practitioner advisory group is chaired by Des Kelly..."

Private Eye Extract 1274 Nov 2010 Never Mind the Quality

"An investigation by Private Eye and the charity Compassion in Care into closures claimed by the CQC has found...Eileen Chubb said "I have been into appalling care homes the CQC has allowed to masquerade as adequate, good and even excellent...CQC have not returned our calls....John McDonnell MP intends to raise questions in the House..."

Private Eye Extract 1275 Nov 2010 CQC No Evil

"Nearly a month down the line, as the Eye went to press CQC had only been able to provide evidence of its proposal to close four homes and...not that it actually closed any and as the last Eye reported, two of those homes....."

Private Eye 1276 Dec 2010 Open and Shut Cases

"While the CQC are busy saying they closed homes when they did not, Compassion in Care continues to expose homes that should have been closed long ago".

Private Eye Extract 1277 Dec 2010 Closing Ranks

"It is as Eileen Chubb of Compassion in Care said "like wiping your criminal record".

Private Eye extract 1283 March 2011

"Eileen Chubb a former whistle-blower who now runs Compassion in Care which on behalf of those in care homes, has uncovered serious anomalies in CQC's new registration process that questions not only its effectiveness in protecting people in care homes, but also the accuracy of the information it provides...."

Private Eye extract 16th March 2011 No, Minister

"Mrs Chubb said far from closing the home, CQC continues to protect it and others known to be dire by wiping its history. What does the Minister have to say about this vital information gap? Burstow's position is that the public can make a written request to CQC – tricky if they have no idea the reports exist in the first place".

Private Eye extract 1290 June 2011 Southern Dross

"Eileen Chubb argues that it would cost no more for local authorities to take over Southern Cross homes and run them."

Private Eye extract 23rd June 2011

"The Care Quality Commission's failure to stop the torture at Winterbourne View....."

Private Eye extract 4th August 2011

"But one person who doesn't appear to have suffered is Philip Scott the former Southern Cross Chief Executive who was in charge during the boom years of care home acquisition, but he himself bailed out selling his personal stake for £11m before the shares started to plunge...."

"From the Priory Group where Scott is now CEO....."

Private Eye extract 13th October 2011 Southern Loss

"The document was leaked to Eileen Chubb, the former care home whistle-blower who set up the campaigning charity Compassion in Care, by insiders who told her they were concerned there was nothing left to cut. If they cut us back any more there will not be any care...."

Private Eye extract 1301 24th November 2011 Dross Houses

"When it comes to the bungling of the CQC and beleaguered Southern Cross, you really could not make it up".

Private Eye extract 1307 23rd February 2012

"The matter has now been taken up by the charity Compassion in Care. Eileen Chubb, herself a former whistle-blower, said the failure to hold to account either the perpetrators of abuse or the managers who allowed it to continue for over a year....."

Private Eye extract 1322 September 2012 Asleep on the Job

"Powerful anti-psychotic and anti-depressant drugs should have come as no surprise to the CQC which ignored repeated warnings....."

Private Eye extract 1323 October 2012 Going So Soon

"After initially denying many of the numerous complaints Mrs Chubb had sent, it was agreed with Dame Jo's office that Mrs Chubb should in future take her concerns directly to Suzanna Burden the complaints lead at CQC, to ensure they were looked at. Last April she did exactly that, having visited Amberley House, Stoke on Trent, a care home that had a series of safeguarding investigations....."

"CQC had visited the home just a few days before and had found it to be improving. Once again she has had no response to her concerns from the CQC".

1327 November 2012 A Sore Subject

"Eileen Chubb....says Staff who had long been asking for help, and their vulnerable charges, were ignored. It's not about how many inspections they had done; it's about the quality of those inspections".

1337 April 2013 New Home, Old Problem

"When a home has an embargo the public are the last to know, said Eileen Chubb of Compassion in Care".

1336 April 2013 Caught Napping Again

"Charles Court in Hereford where residents have suffered for nearly two years, was opened by the Priory Group in October 2010 to great fanfare, it was attended by the charity Action on Elder Abuse, with whom Priory were entering a partnership to run, with no sense of irony, a national helpline. Eileen Chubb said "How many more people need to suffer and die before CQC is held to account?"

1343 July 2013

"The Eye continued to push CQC for proof of its claims".

1352 November 2013 Home Affront

"Pentland and Eastbank are not the only BUPA homes with a history of poor care. Private Eye and Compassion in Care have found that the chain's thirty care homes....."

1353 November 2013 Northern Exposure

"Dangerous rotten floorboards and the heating didn't work properly. The one working shower on the ground floor was mouldy.....Eileen Chubb said the staffing levels were impossible, you just could not care for people with so few staff....."

1342 June 2013 Softening the Blow

"Campaigners are calling for urgent reform of the law protecting whistle-blowers. The report prepared by Eileen Chubb concludes that PIDA which come into force in 1999 has failed to offer any meaningful protection for whistle-blowers...."

1374 September 2014 Bupa Bloopers

"A care worker in a Bupa nursing home has endured weeks of being ostracised since she went to managers to complain that residents were suffering....the woman is however intending to turn out for what is believed to be the first demonstration of its kind for carers, health workers and relatives of people who have suffered poor care.....organised by Eileen Chubb of Compassion in Care...."

1377 October 2014 CQC at Breaking Point

"Eileen Chubb of Compassion in Care agreed and said her charity had received 15 calls last week from care and nursing staff complaining that their concerns had been ignored."

1403 October 2015 Horrorgate

"Over four months the wound became so badly infected it was beyond any surgical intervention...."

1405 November 2015 Sleeping Watchdog

"Eileen Chubb of Compassion in Care said new ownership should not wipe a care home's history clean. CQC said it intended to provide a link to archive material and new registrations and would welcome Mrs Chubb's input....."

1402 October 2015 Booting the Messenger

"Compassion in Care has asked the Health Secretary to investigate claims that more and more nursing homes are responding to complaints of neglect and poor care, not by tackling the problems but by blaming and kicking out the resident."

1407 December 2015

The campaigning charity Compassion in Care has now found that some care homes are being re-registered two or three times to effectively the same people..... Eileen Chubb says the overwhelming evidence points to a culture within CQC social care that is not only failing to provide the public with accurate and accessible information but is providing misleading information on some of the very worst homes....."

1409 January 2016 Asleep at the Switch

"The charity Compassion in Care found that as well as listing these not so new services the CQC was also conveniently for the homes, but not for the unsuspecting public, separately archiving the homes' unhappy history...."

1411 February 2016 Epic Flail

Eileen Chubb of Compassion in Care said Hillcrest was one of the many homes which in 2010 CQC had wrongly claimed had been closed down. The CQC is either grossly incompetent or downright dishonest...."

1412 March 2016 Walton's Fall

"Barely seven weeks before an elderly woman was found close to death in a Nottingham care home, lying in her own urine with a huge rotten pressure sore on her back, CQC had given the home a clean bill of health. Eileen Chubb of Compassion In Care who has just produced a report on other failing care homes, called for the CQC to be held to account."

1416 April 2016 Burning Question for Bupa.

EILEEN Chubb of the charity Compassion In Care said "What happened to poor Mr Skyers is inexcusable... We will have to await the outcome of investigations into the death but once again it looks like whistle-blowers' concerns have been ignored".

1418 May 2016 Candid Camera

"Philip Scott former CEO of Southern Cross and the Priory Group has seen another potential way to cash in on.....One company which has signed up, Lifestyle Care Ltd is a story in its own right, it is one of the homes which CQC allows to keep re-registering as a new service provider...."

1436 February 2017 Desperate Times

"CIC said its helpline has recorded more 200 cases of what it calls Relative Retribution."

1449 August 2017 All at SHC

"This is not the first time that SHC, which claims to offer support for life and excellence in care, has featured in the Eye. It was one of the care home groups used to illustrate a gaping hole in the CQC inspection and report processes back in December 2015. The campaigning charity Compassion in Care had found that dozens of homes around the country, many with a history of poor care and neglect were suddenly being listed as new services".

I certainly would agree to you bestowing a knighthood to Private Eye for services to inspection which exceed all expectations.

Complaint re failure to respond to evidence sent by Compassion In Care

I write further to my numerous letters and evidence, **none** of which have yet been acknowledged and which were all re-delivered by hand on August 18th 2017, when the delivery was filmed by a documentary maker.

As this damning evidence (including internal emails from the Health Department, CQC's Andrea Sutcliffe, Robert Francis QC, and David Behan) is indisputable fact, I must presume that you have decided to take the stance of completely ignoring what you are **unable** to defend - which in effect is defending the indefensible by silence.

Re-registration Scam exposed in "CQC An On-going Concern"

The care homes and care companies which this charity exposed in CQC An Ongoing Concern, continue to feature in further abuse scandals nearly two years after that report was published.

In the meantime, your failure to act on such serious concerns has resulted in the continuing suffering of vulnerable people and the public being duped with the **fake** information that results from CQC's ingrained culture of dishonesty. I remind you that it was Compassion In Care and Private Eye which exposed the CQC's blatant lie that they had "*closed a **hundred homes***", but in fact there were only a doubtful **two**. This blatant deception was not acted on by the Health Department and as a result the CQC have gone from bad to worse with impunity.

For example in December 2015 Compassion in Care and Private Eye exposed a number of care companies whose history was archived or buried by the CQC under the pretext of the

homes being under new ownership when in effect it was exactly the same old owners, including Sussex Health Care homes, subsequently exposed again in Private Eye (see above).

This company is now under police investigation for numerous deaths and possibly assault; however had the public been able to access the appalling histories of these homes they would not have placed their loved ones there at all.

That information was concealed by CQC and nearly two years after both **your** Department and the CQC were made aware of these issues in our detailed report "CQC An Ongoing Concern" which is the subject of many internal emails, no action has been taken at all to address the issues brought to your attention and I have not received a single acknowledgement of our report. We produced this comprehensive report on a scant budget and yet CQC's Andrea Sutcliffe asks for intelligence analysts' input at taxpayers' expense to even read it.

Our follow-up reports on Coppice Lodge and The 47 Worst homes show a repeated pattern of the consequences of ignoring our concerns. People have suffered appalling injuries, abuse and death in homes we identified two years earlier. Burying bad histories and giving such homes a clean slate has inexcusable and predictable consequences and **now you must personally be held to account for those consequences because what you fail to condemn you condone.**

The Conduct of Robert Francis QC

Whistle-blowers

This report was **also** sent to you, a report which included internal emails between Robert Francis QC, prior to his becoming a CQC board member and whilst conducting a Government inquiry into whistle-blowing sanctioned by you and which turned out to be a complete waste of taxpayers' money on an ineffective sticking plaster, Robert Francis breached the confidentiality of a whistle-blower and shared their evidence with CQC's Andrea Sutcliffe and David Behan, and subsequently with the whistle-blower's former employer. Given that this was an official inquiry into whistle-blowing it is a staggering breach of confidentiality.

Subsequently as a CQC board member he displayed an appalling ignorance of the issue.

Our report "Contempt for Evidence" was sent to you in March 2017 and still no response has been received. The CQC board meeting video for April 2017 shows a complete ignorance of what a whistle-blower is (my response to this here)

In July I stated that I have compiled evidence in advance of the publication of "Breaking The Silence Part 4" that 47 whistle-blowers had contacted the CQC with concerns and that these

whistle-blowers' names had been passed to their employers. Recent correspondence with CQC's Andrea Sutcliffe on this issue (Letters here) shows again an organisation whose only concern is protecting its own reputation. In effect CQC deny asking me for these whistle-blowers' names and have offered to investigate care providers who have given whistle-blowers' names to the CQC, which is of course not something we have raised and is not something that would realistically happen at all. Employers **contain** whistle-blowers and disclosures, they do not report them. Again a level of incredible ignorance of whistle-blowers is exhibited by the CQC via what is a deliberate tactic to shift blame from their door.

Inaccurate and Misleading Inspection Report Content

The factual accuracy of CQC inspection reports is an issue we have consistently challenged over many years. Our evidence "Tales of The Un-inspected" has repeatedly shown how the true facts about events in a care home are consistently suppressed by CQC. This demonstrates a culture that is inherently dishonest as well as displaying a clear bias in favour of care providers. The CQC should never have needed a press office in order to perpetuate the myth that they are an effective regulator and to feed a culture of self-preservation at any cost. The true cost is in suffering.

Briefing Against Compassion In Care

Whilst we see this as an indication of how effective we are CQC's conduct on this issue is revealed clearly from internal correspondence between Andrea Sutcliffe and BBC Panorama.

CQC have also repeatedly inferred that *"if only they knew about my concerns they would have acted"*. This dishonest stance however is blown out of the water because I have retained all correspondence between myself and CQC including their acknowledgements of receiving my concerns.

For example a recent Subject Access request for correspondence confirmed CQC had no records for Honeymead Care Home in Kent (Home 125). However I have full copies of four letters sent to CQC regarding falls at this home. Whilst CQC acknowledged these letters they failed to act until more than two years later when the Health and Safety Executive raided the home due to a huge number of serious injuries being sustained by vulnerable residents in **exactly** the same circumstances which I had raised earlier. As usual CQC issued press statements claiming to have closed the home due to appalling conditions, conveniently omitting that those appalling conditions had been highlighted years earlier and had been allowed to continue. CQC react **after** the harm is done and mysteriously claim that all records of my concerns being raised with them have been mislaid or they would

have been released in accordance with the law. Fortunately I have full copies. I could list many more such examples.

CQC have actively briefed against Compassion In Care and have done so with unfounded statements. We are proud to be the only charity they need to brief against because it proves we are effective.

They have clearly sought what they believe to be damaging information on me but the only thing they managed to gather was a hostile tweet from Phillip Scott who wanted and failed to get my sanction for his CCTV venture and who vented his rage on social media.

However as CQC decided to retain this information I should point out what CQC have neglected to say, namely that Phillip Scott ran Southern Cross and left with £11,000,000 before it went down. Despite the spin from CQC that this situation would not occur again, Philip Scott went on to be registered as a fit and proper person to run Priory Care Homes. We exposed Charles Court in Hereford (Tales of Uninspected Home 101) as just one example, which was opened too much fanfare by Phillip Scott who featured in a video of the opening, handing a large cheque to Gary Fitzgerald of Action on Elder Abuse and a Health Minister also attended this event. This video was removed a short time later when appalling conditions at the home were reported in the media. We exposed with Private Eye a number of Priory care homes where appalling suffering was inflicted on vulnerable people. Which of course begs the question why did CQC register an individual with a track record like Philip Scott's in the first place?

Unscrupulous companies have made billions in profits for years. Taxpayers' money has funded abuse and neglect. There has been no accountability at all for these crimes. There has not been a single case where the money has been refunded when things have gone wrong.

Merok Park care home for example, where people were left without food or drink in inhumane conditions, where the owners lived the high life from the profits: multiple luxurious homes, expensive cars and their children bragging on Facebook about gifts such as Rolex watches being lavished on them. Not a single penny of taxpayers' money was recouped and this was a home in Surrey, where a short while later the local council were taking drastic measures to obtain more money for social care. Billions has been poured into the private sector and when that care is not provided there is no accountability. Edna's Law would amongst other things have the power to freeze the assets of these companies to recover money owed to the taxpayer.

Relative Retribution

This is another report to which you have failed to respond, and was sent to you along with CQC's internal emails which show what CQC's stance is on evictions from care homes, namely that *"It should be presumed the provider is acting lawfully"*.

Evictions and Restrictions, Review of The First 400 Cases is the follow-up review of the above report.

The Knighthood given to David Behan

We have objected to this via Buckingham Palace, The Cabinet Office, CQC and yourself, yet we only recently learn that it was your Department which, in spite being aware of our extensive and serious concerns, put forward the recommendation for this honour, for "*Services to inspection that exceed expectation*".

Given the copious evidence we have published this is a complete insult to all those who have been abused and to all those families who have lost a loved one in appalling conditions. It is an insult to all those who have been threatened with eviction for raising concerns and an insult to all those whistle-blowers who have been betrayed by CQC.

Information on Edna's Law can be found here and a full and extensive report on it will be published this autumn.

What action do you intend to take on the misconduct of Robert Francis for his serious breach of confidentiality whilst conducting a taxpayers-funded review into NHS whistle-blowing?

What action do you intend to take on the misconduct of David Behan and Andrea Sutcliffe in relation to breach of confidentiality in the above case and in the widespread culture of breaching the confidentiality of whistle-blowers?

What action do you intend to take on "CQC An Ongoing Concern".

I refer to our report "Should We Abolish Accountability?" and ask you to consider whether the actions of individuals at CQC amount to Misconduct In Public Office, and if not, why not?

I refer you to the questions in our earlier correspondence.

Know this, I will not stop fighting no matter how long it takes and I promise you that the truth will prevail.

In the light of Hillsborough, I finally I ask you to consider if you want history to show you to have been the one who kept denying the truth of what will become known as the CQC Care Scandal?

Our work is all about breaking the chain of Elderly Abuse and the lack of response from you so far is ticking all the boxes of Complacency, Ignorance, Denial and Silence.

I look forward to your response without any more delay.

Yours sincerely

Eileen Chubb



References

Coppice Lodge and the 47 worst care homes can be found on these links:
<http://www.compassionincare.com/node/315>
<http://www.compassionincare.com/node/316>

St George's Care Home