

The Cost of No Scrutiny?  
Covid Crisis Special Report 13  
By Eileen Chubb©

We have still received no response or acknowledgement from the Prime Minister to any of the following reports posted to Downing Street, we have now been waiting nearly 4 months. In two decades of campaigning and hundreds of letters written, I have **never** encountered this before. What should normally happen is your letter is acknowledged and you are told which Government Department it has been passed to for a response. For this reason, this report is being sent to both Downing Street and The Committee for Standards in Public Life. Given the serious issues being raised by us in the below reports it is completely unacceptable to ignore our correspondence.

<https://compassionincare.com/covid-crisis-report-9-boris-johnson>

<https://compassionincare.com/prime-minister-whistle-blowing>

<https://compassionincare.com/government-silence>

Since our last Covid report on 19<sup>th</sup> August 2020, we have received the following helpline calls on the issue of Covid only. Helpline calls on other care issues are not included in the below numbers.

Residential Care	<b>15</b>
Nursing Care	<b>8</b>
Care Agencies	<b>4</b>

Total helpline calls re concerns on Covid

Residential Care	<b>198</b>
Nursing Care	<b>90</b>
Care Agencies	<b>43</b>
<b>Total</b>	<b>331</b>

Our 8<sup>th</sup> Covid Crisis Special Report highlighted Whistleblowing and what happened to those who speak out.

<https://compassionincare.com/covid-crisis-report-8-link-between-whistle-blowing-and-detriment>

### **Extract from Covid Crisis Report 8**

*“**6** staff have been sacked for reasons that include, alleged breach of confidentiality or excessive sick leave.*

***37** Staff have been working in hostile conditions since whistleblowing and felt forced to leave.*

***17** Staff on Zero hours contracts have not been given further shifts since whistleblowing.*

***39** Staff are intending to leave their employment in the near future, of which **21** intend not to work in care again.*

***99** Staff out of a total of **246** have already or will in the near future lose their job as direct result of raising concerns.*

*We do expect these numbers to rise in the coming weeks due to a **further 76** staff experiencing some form of harassment or adverse treatment as a result of whistleblowing.*

*From an overall total of **246** cases, **175** have reported harassment and/or adverse treatment since whistleblowing.”*

**Since our last report, the latest numbers now stand at,**

**8** Staff have been sacked for reasons that include breach of confidentiality and excessive sick leave.

**52** Staff have been working in hostile conditions since whistleblowing and felt forced to leave.

**28** Staff on Zero-hour contracts have been given no further shifts

**152** Staff are intending to leave their employment in the near future of which **38** intend not to work in the care sector again.

From an overall total of **331** staff, **240** have reported harassment and/or adverse treatment and/or lost their job or will lose their job as a direct result of whistleblowing.

This data is consistent with our overall data on whistleblowing in that most Whistleblowers feel forced to leave their employment rather than being dismissed.

### Voices from The Front Line.

*“The only thing that has changed since whistleblowing is that I have no job”*

*“Nothing I reported has been acted on, what is the point?”*

*“I feel like I am always in trouble for reporting things that are wrong, I feel so tired from reporting these things and the only thing they care about is that I had the cheek to report them, they don’t care at all about my concerns”*

*“The things are still happening, the bad staff are laughing their heads off and worse than ever, I made it much worse by speaking out, because the bad staff just feel much safer”*

*“This is the xxxxx job I have lost after whistleblowing; you would think I would have learnt to keep my mouth shut by my xxxxx told me”*

*“Your dammed if you report abuse and your only safe if you are abusing people or ignoring people doing it”*

*“I feel bad walking away because there is not a single member of staff left in that home who would whistle blow”*

### THE CQC and Inspections

Please see our last report on CQC inspections  
<https://compassionincare.com/not-so-sweet-16>

As a result of this report I made an FOI request to the CQC for the costs of Care Home inspections during the Covid Crisis. I wanted to know how much of that budget was spent on publishing inspection reports, however that cost is not listed separately.

What I did obtain was the overall budget on care home inspections for 3 months at the height of the Covid Crisis and for the same period last year so I could make a comparison, given so few inspections took place, **17** at the last count, I was surprised to see the following costs. Below is the CQC response in full. Please note that I have no idea what “Wider engagement”

“*intelligence or policy*” costs would relate to, I know CQC received over **two and half thousand** reports from Whistleblowers during the crisis and carried out **17** inspections that I am aware of.

A helpful comparison is our helpline received in the 7 days after BBC broadcast, Panorama, Behind Closed Doors, **4671**, calls from Whistleblowers.

### **Response issued under the Freedom of Information Act 2000**

#### **Information Requested:**

***“Please provide your monthly expenditure on inspection and publishing reports on Care homes for March, April, May, June and July 2020 and for the same period for 2019.”***

The Information Access team has now coordinated a response to your request.

CQC has considered your request in accordance with the Freedom of Information Act 2000 (FOIA).

Our first obligation under the legislation is to confirm whether we do or do not hold the requested information.

In accordance with section 1(1) of FOIA we are able to confirm that CQC does hold some recorded information in relation to this matter.

CQC’s operating costs are calculated on a quarterly basis, so we are unable to break this down on a monthly profile. Therefore, we would only be able to provide the cost of Care Home inspections for the periods April to June, from the months requested.

Our regulatory model is not just focused on inspection. The total cost of regulation for this sector in Apr’19 to Jun’19 was £15.8m, of which inspection was £8.5m. In Apr’20 to Jun’20 the total cost of regulation was £17.4m, of which inspection was £1.7m. Please note that inspection does not only refer to physical costs associated with inspection activity but also takes account of indirect costs such as wider engagement, intelligence and policy costs associated with inspections. This demonstrates that whilst inspection activity was lower due to Covid-19, CQC has remained regulating with a greater focus on monitoring activity.

The cost of publishing reports cannot be separately identified and therefore we are unable to provide a cost for this specific activity

### **The Freedom of Information Act 2000**

The purpose of FOIA is to ensure transparency and accountability in the public sector. It seeks to achieve this by providing anyone, anywhere in the world, with the right to access recorded information held by, or on behalf of, a public authority.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings.

Public authorities spend money collected from taxpayers and make decisions that can significantly affect many people's lives. Access to information helps the public make public authorities accountable for their actions and allows public debate to be better informed and more productive.

The main principle behind FOIA is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

A disclosure under FOIA is described as "applicant blind" meaning that it is a disclosure into the public domain, not to any one individual.

This means that everyone has a right to access official information. Disclosure should be the default – in other words, information should be kept private only when there is a good reason and it is permitted by FOIA.

An applicant does not need to give a reason for wanting the information. On the contrary, the public authority must justify refusing the information.

Public authorities are required to treat all requests equally, except under some limited circumstances. The information someone can access under FOIA should not be affected by who they are, whether they are journalists, local residents, public authority employees, or foreign researchers.

### **Advice and assistance**

Under section 16 of the Freedom of Information Act 2000 (and in accordance with the section 45 code of practice) we have a duty to provide you with reasonable advice and assistance.

If you need any independent advice about individual's rights under information legislation you can contact the Information Commissioner's Office (ICO).

The ICO is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

The contact details for the ICO are detailed below.

There is useful information on the ICO website explaining the rights of individuals:

[www.ico.org.uk/your-data-matters](http://www.ico.org.uk/your-data-matters)

### **CQC Complaints and Internal Review procedure**

If you are not satisfied with our handling of your request, then you may request an internal review.

Please clearly indicate that you wish for a review to be conducted and state the reason(s) for requesting the review.

Please note that it is usual practice to accept a request for an internal review within 40 working days from the date of this response. The [FOIA code of practice](#) advises that public authorities are not obliged to accept internal reviews after this date.

Please be aware that the review process will focus upon our handling of your request and whether CQC have complied with the requirements of the Freedom of Information Act 2000. The internal review process should not be used to raise concerns about the provision of care or the internal processes of other CQC functions.

If you are unhappy with other aspects of the CQC's actions, or of the actions of registered providers, please see our website for information on how to raise a concern or complaint:

[www.cqc.org.uk/contact-us](http://www.cqc.org.uk/contact-us)