

GO NOW!

MPs demand immediate exit of
NHS chief who misled Commons
over gagging of whistleblowers



Grilled: Outgoing NHS chief executive Sir David Nicholson

**MAN WITH
NO SHAME**

From the Mail February 7

**Hospitals
spend £2m
to gag 52 of
their staff**

**Despite NHS chief's claim
that it happened only once**

From the Mail June 22

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By **Tamara Cohen**
Political Reporter

SIR DAVID Nicholson should step down immediately for 'misleading' parliament about the scandal surrounding gagging clauses, MPs said yesterday.

The outgoing chief executive of the NHS was grilled yesterday about revelations that at least 52 staff have been silenced by law and handed £2million in secret severance payments.

Unlike other payoffs to gag health workers - of which hundreds have been handed out in recent years - the so-called judicial mediation deals were agreed by hospital trusts without Treasury or Department of Health scrutiny.

One for £500,000 was handed to whistleblower Gary Walker, the former head of United Lincolnshire Hospital NHS Trust, where hundreds of patients are feared to have died. He broke his silence earlier this year to tell of 'dangerous' conditions and a bullying management culture.

In a combative session of the public accounts committee yesterday, MPs challenged Sir David's claim three months ago that he thought Mr Walker was an isolated case. The NHS boss admitted he had not checked how many had been handed out since he was ordered to by Parliament three months ago. 'I didn't... maybe I

**'Maybe I should
have checked'**

should have,' he said. Requests for data under the Freedom of Information Act revealed that at least 52 payoff deals were agreed at 38 hospitals in England. Dozens more hospitals did not reply.

But the embattled health service boss, who has already agreed to step down from his £210,000-a-year job next year following the Mid Staffordshire scandal where up to 1,200 patients died needlessly, denied there had been a 'cover up'.

Sir David accepted the use of gagging clauses was 'not acceptable'.

He admitted their use was 'widespread' in the health service and the private sector and said they did not all apply to people raising safety concerns.

In a rambling defence to MPs, he claimed he had always tried to support whistleblowers in the NHS and said: 'I can absolutely refute that I have ever been involved in any kind of cover-up in relation to the expenditure that's identified.'

'I have been absolutely honest and truthful with this committee... I have always supported people who have stood out against the system.'

Sir David tried to blame the Treasury, saying it had told the NHS by letter in 2011 that no approval was needed for payoffs under so-called judicial mediation.

A hapless Treasury official then held how 'there was confusion as to what judicial mediation meant' in his department and they 'did not understand it'.

Margaret Hodge, chairman of the committee, said she was 'gob-

'BRIBES' TO USE NEW IT SYSTEM

HOSPITAL trusts will be paid £70million of taxpayers' money in 'bribes' to use a discredited computer system, it emerged yesterday.

The NHS IT programme was axed two years ago after £12billion was spent on a system that was supposed to be up-and-running eight years ago but never worked.

But yesterday it emerged that American company CSC – the main provider – has since been paid £1billion even though its software is still not working in any hospital. It will now receive another

£600million to install its system in 22 NHS trusts in the north and east of England. The trusts will receive 'support payments' of £3.1million each, or £68million in total.

Margaret Hodge, chairman of the Public Accounts Committee, yesterday accused health bosses of bribing trusts – giving bungs – to take this rotten system from CSC.'

Tim Donohoe, who is in charge of the NHS IT programme, insisted they had achieved a 'good deal for the taxpayer'.

smacked' that the payments were agreed with no scrutiny. She said Sir David's failure to disclose how many had been made was 'impertinent'.

MP Steve Barclay, whose Freedom of Information request uncovered the figures, revealed that between 2008 and 2011 there were 598 'special severance payments' costing

£14.7million – not including the 52 judicial mediation payments.

They include two consultants at Northern Lincolnshire and Goole Hospitals, who were paid £300,000 and £265,000 respectively in February – a month before Sir David assured MPs Mr Walker was an isolated case. Mr Barclay, Tory member for North East Cambridgeshire, said

it 'stretches credulity' that Sir David did not know about the payments and called for him to step down now. 'He should have immediately sought to investigate,' he said.

'It is a clear conflict of interest for a hospital, where a member of staff has raised concerns, to use taxpayers' money to pay people off with no external scrutiny.'

'That does not include payments while they were suspended and potentially massive legal fees, so it's the tip of the iceberg.'

'When asked to investigate, Sir David agreed to do so as soon as possible and failed to.'

'Either he didn't know when he should have or he's misled parliament. I think he should do the honourable thing now and step down.'

Sir David was accused in Parliament earlier this year of presiding over a 'see no evil, hear no evil' culture in the NHS.

He claimed he had 'no idea' about the unfolding disaster in Mid Staffordshire, 'no access' to published statistics revealing high death rates and did not know the extent of gagging orders.