

Dr Raj Mattu Reinstatement Committee

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2nd December 2006

Mr James Plaskitt MP
House of Commons
Westminster
London SW1A 0AA

Dear Mr Plaskitt,

We continue to raise concerns about the wholly unacceptable conduct of the Senior Management at the University Hospitals Coventry and Warwickshire NHS Trust. A situation that your colleague Mr John Maples MP has described as "*horrifying*" (letter enclosed).

Our concerns centre around three key issues:

1. Maladministration and abuse of public offices to pursue a vendetta against Dr Mattu for having whistle blown about patient safety.
2. Misuse of public funds for the purposes of Senior Managers pursuing a personal vendetta against Dr Mattu.
3. Failure to provide open, accurate and detailed accounts in respect of this suspension, which we understand to now be nearing £4 million.

Notwithstanding the maladministration by Senior Managers that has involved about £4 million of our taxes being wasted to pursue a campaign against Dr Mattu, and the fact that £1.5 million was expended on an internal inquiry by the Trust headed by an eminent QC (Andrew Stafford), David Roberts, Trust Chief Executive, has been in possession of the verdict of his own Inquiry Panel since 27th March 2006 that Dr Mattu should be reintegrated into his job and that dismissal is not warranted. This verdict has been totally ignored for over 8 months.

Mr Roberts, failed to secure a verdict of dismissal from his own Inquiry Panel (which he selected, employed, paid, and gave allegations and terms of reference to), and subsequently refused to accept his own Panel's verdict on 7th April 2006. A further substantial amount of money has been wasted by Mr Roberts during the 8 months following the Panel verdict by continuing the suspension, and on legal fees and court appearances.

There appears to be no limit on our taxes that this Trust is prepared and able to squander to fulfil its ambitions and vendetta against Dr Mattu. This is wholly unacceptable and cannot be allowed to continue without intervention and the Senior Managers being brought to account through formal investigation. Ministers must no longer be allowed to regurgitate without scrutiny the mistruths that they receive.

The Trust has persisted in its course of action against Dr Mattu at the taxpayer's expense in spite of the fact that Mr Justice Eady has given a judgment and court order on 14th and 25th July 2006, respectively, that Mr Roberts:

1. "...will not seek to make any additional findings of fault himself" (High Court Judgement, 14th July 2006, paragraph 92[3])

2. *"may not establish a case more serious in any respect than that found by the Panel of Inquiry...."* (Court Order, 25th July 2006, paragraph 1[v][a])
3. *"is only entitled to take into account findings of fact on the charges found proven by the Panel....."* (Court Order, 25th July 2006, paragraph 1[ii])
4. *"may not take into account any factual matters which would have the effect of aggravating any fault found by the Panel."* (Court Order, 25th July 2006, paragraph 1[v][f])

The cost of the Trust's unwillingness and failure to implement the verdict of the Inquiry Panel continue to be borne by the taxpayer and are coming out of the local health budget. This is at a time when the Trust has been found to have a £33 million shortfall, a current deficit of £8 million and the disclosure that a further £27 million of savings will have to be made as a result of financial difficulties with the PFI as the Primary Care Trust is understandably reluctant to donate this figure to assist the Trust.

Radical cutbacks in the local hospitals in Nuneaton and Warwick are having to be considered to assist UHCW NHS Trust and protect its services due to the financial difficulties. It beggars belief that the Trust Management are being allowed to get away with wasting almost £4 million to satisfy a vendetta against Dr Mattu.

We are extremely unhappy about the poor conduct of the Trust Management in this case, and by financial mismanagement, particularly with regard to the use of suspensions by this Trust during the last 6 years. We enclose our recent letters to the Health Minister and a copy of the department's response for your perusal.

We and the general public are astounded that Senior Trust Managers seem to be totally unaccountable to anyone. It is outrageous that Ministers involved in the appointment of Trust Chief Executives and Chairmen, and thus by proxy the executive and non-executive boards, can brazenly claim to have no role or ability to intervene when those very same executive and non-executive board members are responsible for maladministration and misuse of public offices and funds. We elect our MPs and assume they take charge of the ministries to which they are assigned.

We refer you to the detail of our letters dated 10th July and 16th October 2006 to the Public Accounts Committee (enclosed). Being part of the NHS, UHCW NHS Trust is accountable to the NHS and its stakeholders, the general public. The Trust Management must be held to account by our elected representatives and Government Ministers. The Ministerial response appears to make a mockery of our government and rule, and begs the question that if Ministers are not prepared to accept charge and responsibility for our public services why they continue to accept the huge salaries that come with their offices, and exactly who is ultimately responsible for our NHS Trust Chairmen and Chief Executives.

We appeal to you to help end this disgraceful waste of public money and abuse of public offices. We would be most grateful if you would bring pressure to bear upon Patricia Hewitt MP, Rosie Winterton MP, Caroline Flint MP, Andrew Burnham MP, Ivan Lewis MP and Lord Warner in our Ministry of Health, and help us by insisting that they urgently act to either sort out and end this mess, which is ultimately their responsibility, or to let you and us know who is ultimately responsible for the Chairman and Chief Executive of the Trust and their horrendous and unjustifiable conduct.

We look forward to hearing from you at the earliest opportunity.

Yours sincerely,

Mr Niall McChesney
Secretary
The Dr Raj Mattu Reinstatement Committee

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