

Confidential

Mr. A. Horne,

Code A

7th February, 2003

Dear Tony,

Temporary Redeployment

I write with reference to our previous correspondence and discussions about this issue, to bring you up to date with the present position.

As you know, the management investigation began in November last year, when Michael Taylor started the process of gathering the information he felt he needed by way of background. At the same time, the Strategic Health Authority was taking the lead in obtaining confirmation from the police that they had no objection to the management investigation going ahead. As part of that process a copy of the terms of reference for the management investigation (which you have seen) was supplied to the police.

Although initially the police indicated that they were content for the management investigation to proceed, in mid December 2002 the police began to object to the management investigation because they felt that it might prejudice the ongoing criminal investigation. Detailed discussions with the police then ensued, which culminated in a meeting between the Health Authority, the police and the Chief Medical Officer on 13th January, 2003.

In the meantime, a second review of Gosport War Memorial Hospital had been requested by the Health Minister, but had not begun pending clarification of the terms of reference for that review. Professor Baker was also continuing with his audit of records relating to deaths at the hospital between 1988 and 1998, in line with the Chief Medical Officer's request.

At the meeting on 13th January, 2003, the police made it clear that, whilst they were content for Professor Baker to continue with his clinical audit, they felt that both the management investigation and the second review by the Commission for Health Improvement should be suspended until they had concluded their criminal investigation.

As far as the criminal investigation is concerned, I understand that the police have indicated that they are now looking into complaints from sixty-four families about the treatment of patients at Gosport War Memorial Hospital. I also understand that they

are commissioning help from a team of medical experts as part of that investigation, which I understand is thought to be one of the most complex ever undertaken by Hampshire Constabulary. The police have also indicated that the investigation may take up to two years to complete, with any proceedings that result from it taking place thereafter.

I also understand that at the request of the police, both the General Medical Council and the Local Medical Council have suspended their respective investigations into the various health professionals who had worked at Gosport War Memorial Hospital and who had been referred to them, pending the outcome of the police investigation.

In the light of this information, I understand the Chief Medical Officer took the view that the second Commission for Health Improvement investigation should not proceed any further for the time being, and I met with Gareth Cruddace and other representatives of the Health Authority, together with Lucy Docherty of Fareham and Gosport PCT, on 17th January, 2003, to consider what should happen in relation to the management investigation.

It was our decision that, in response to the police position, and in the expectation that written confirmation of that would arrive shortly, we really had no option but to place the management investigation on hold, pending the outcome of the police investigation. We have now received such confirmation from the police.

At present then, the only investigations ongoing in respect of Gosport War Memorial Hospital are the police investigation and the audit by Professor Baker.

Obviously, once a decision was made to place the management investigation on hold, it was necessary for this Trust to consider what action to take in relation to your redeployment.

I met with members of the remuneration committee on 29th January, 2003 to consider that issue. In doing so, we were mindful of our obligations to you as an employee, and our responsibilities to act in the best interests of the organisation and the public at large. We were also mindful of the fact that the Health Authority (on our behalf) had also asked the police to confirm that they would have no objection to you returning to your post, whilst the criminal investigation proceeds. The police have confirmed in writing that they have no objection, provided certain "safeguards" (as they described them) were in place.

Having carefully considered the position, and bearing in mind the formal position of the police, I am writing to confirm our decision to bring the redeployment arrangements to an end and ask you to return to work as Chief Executive of this PCT as soon as possible.

There are of course some practical matters concerning your return which we need to discuss, and I hope we can meet to do so as soon as you have had the chance to consider this letter, but in the meantime I should make you aware of the following:

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- I will need an indication from you of when (practically speaking) you will be in a position to return.
- A press release is being prepared confirming your return to work and we will need to agree the timing of that, but we would like to be able to issue it as soon as possible.

- We will also need to agree the process of announcing your return internally to the rest of the organisation. It is my intention that no internal announcement will be made until we have had a chance to discuss all matters concerning your return.
 - I am conscious of the fact that you may experience some difficulties in returning to work given the public nature of your particular role and the level of public and media interest in the situation at Gosport generally and I should like to discuss with you what support we may be able to arrange for you in the short term to assist you.
 - In making any public comment on the position, we will need to reassure people that the organisation remains committed to assisting the police and Professor Baker as much as possible with their investigations
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- I am advised that for the benefit of both yourself and the organisation we should continue the arrangements we already have in place to keep you separate from any discussions which may take place about the ongoing investigation, and that you should not have access to any of the documentation relating to the investigation - I know I can expect your full co-operation in this regard. It is my intention that Paula Turvey should continue to deal with any issues relating to the investigation. In addition, the police have indicated that we should obtain your written agreement not to discuss the investigation with any individual you know or believe to be involved in the investigation, and not to involve yourself in our management of or response to the investigation. I will need a letter from you to that effect for the file prior to your return.

Of course it remains the case that both the second Commission for Health Improvement review and the management investigation are only on hold, and it is possible that either or both those investigations will proceed at some time in the future. At present I cannot give you any indication of the timescale for that. In that event, it is of course possible that the Trust may once again have to consider whether there is any need to redeploy you in order to facilitate those investigations, but that is a matter which we can only consider then, on the basis of the information then available.

I imagine you will want the chance to reflect on this letter before we meet again to discuss it in more detail - but if you have any immediate queries then please give me a ring.

On a personal note, I am very pleased to be writing to you asking you to return to your role as Chief Executive of East Hampshire PCT. There are many challenges and opportunities to be tackled in the coming months and I am looking forward to working with you again.

Yours sincerely,

Margaret Scott.
Chairman