

PE1460/K

Witness statement by Dorothy-Grace Elder on Healthcare Improvement Scotland response to petition PE 1460

Dear Andrew, I've seen the response from HIS - excellent questions and research from you, showing a thorough approach by the PPC. You have uncovered another instance of waiting times "fixing" and other manipulation of facts and figures. Well done. This is shocking and has to be exposed strongly. As with all dealings I have had with HIS over chronic pain, the "answers" to the committee continue to avoid the questions. This is alarming in a "health watchdog". By now, we've had two Reports by HIS accused by MSPs and others of spin and "whitewashing" – the Ninewells report on the frail elderly and the Report on chronic pain.

[Health inspector quits over buried report | Herald Scotland](#)

It may help the committee to see proof below that the Update/Benchmarking Report was "going through the communications unit processes", (the health watchdog's PRs and spinners) by August 2012.

Publication delayed until October 26, not "early to mid September".

From the Chronic Pain Steering Group minutes, 22 August 2012:

SG (Dr Steve Gilbert, HIS) gave an update regarding the benchmarking report, noting that it is in the process of going through Healthcare Improvement Scotland's communication's unit processes, and once completed will be ready for publication. The anticipated publication date is early to mid September. The finalised report will be circulated to the steering group in due course by SR. (Steven Robertson, HIS.) Action (7): SR

The PRs, as well as the authors, should be questioned. HIS "Communications Unit" had a budget of £416,000 and 8 full time and 3 part time staff by 2012.

Just what is their role? HIS has behaved so alarmingly over chronic pain and Ninewells that the issues go beyond the current petition into, hopefully, a Parliamentary inquiry into HIS.

Questions needing answers include: Who precisely worked on this Report? Was any professional statistician involved? Any outsider to HIS involved?

If a health watchdog can't be trusted, who can be trusted?

Over the Update Report, I was in touch with HIS intensively from December 7 until Dec 21, with repeated simple questions on the Update Report which they dodged in same style as they continue to exhibit in their letter to the committee. They have not changed their ways, even after their alterations to the Ninewells

Report were roasted in Parliament. I retained some of their earlier pain replies, beneath.

Some examples below which show slightly different tales then and now.

Your items 19 & 20: Waiting times: December email: 6th line down - statement that only 3 boards couldn't meet or didn't give figures for the 12 weeks referral to appointment time "All other boards were able to meet the 12 week guarantee" (Eleven others)

This blows apart even the average they claimed without stating they were manipulating figures by using only half Scotland's boards.

Your item 21: FOI : Is this quango using, as an outlandish excuse for themselves, that "An FOI request by Jackie Baillie MSP in 2012 was able to collate accurate waiting times in all NHS boards"?

Astonishing! - are they implying that, because FOI figures were somewhere, they didn't need to mention these? Or even give a link to them?

Now, March 2013, the FOI figures are stated as "accurate". **But the last line in this December 2012 email dismisses FOI figures:** "The FOI request was submitted this year - not covering the period of the update report" (2010- 11) I emailed back to HIS saying the FOI REPLY was received in March 2012, not the REQUEST, therefore asked if the year was 2010-11. HIS Communications Unit did not reply.

So why wasn't FOI used? FOI showed waiting times of up to 30 weeks in NHS Grampian, up to 33 weeks in Shetland and up to 22 weeks in Lothian. A total of around 3,000 patients were waiting for first (1,866 patients) and second (over 1,000) appointments at pain clinics.

There was ample time to include the FOI figures. They appeared in March, 2012 and were in the media.

This Update Report was delayed up to seven months, being first scheduled for spring 2012, then stated it would be published June 2012. Next, (in writing from Michael Matheson MSP) publication would be "by the end of September 2012". It appeared 26th October, facts sent by health boards finally forced out on 7th Dec. Why were there such huge delays?

From the HIS letter:

Your Item 14: This concerns the data, published six weeks after the Report: End comment from HIS "Although this was published in the interests of transparency, the under pinning data was never designed as public facing documentation"

QUESTION: Then why was key data excluded from the Report? Can they answer that?

This admission shows it was never intended to let the public, patients and Parliament know the truth about the (excluded) waiting times, staff and patient numbers, shortages, if their local service had chronic pain budgets/funding etc. Michael Matheson's first reply to a PQ by Jackie Baillie MSP stated there was no plan to publish the data. The health secretary, Mr Alex Neil, personally intervened to force "transparency", but HIS did nothing to make their spreadsheets understandable. And they disappeared quickly from the MKN site, without the initial links.

The 14 health boards had troubled to send most of these facts QUESTION: Although Mr. Robbie Pearson sent this "reply" was the lead clinician, Dr. Gilbert, involved as the co author of the Report with HIS? Can you please ask HIS?

On chronic pain, HIS has broken their "legal duty of User Focus", publicised on their website. First, they failed to survey and involve patient groups about their experiences, the practice of the GRIPS reports it "updated". But patients were set to be excluded completely from key information sent by the Boards and were still effectively excluded by the format used.

Please see fourth line down of this email from the "Communications Team"..."this can be easily summed to provide an overall WTE figure"
This infers at the time (December) that the data was for public access . As you will see from the email, HIS refused to give me their added up figure, for public and patient information. Scores of small percentages were, of course, NOT "easily summed" and I did so with difficulty. Impossible for anyone without knowledge of the system. The Report switched to using tick boxes for staff, Totally unacceptable as fractional hours looked like full time.

The "Communications Team" was obstructive on any help or clarification for the public and patients. I phoned originally to try to give understandable information to the Cross Party Group on Chronic Pain, of which I'm a member and founded in 2001.

It was the Cross Party Group who originally requested the data on Oct 31, after complaints about the many missing facts in the Report. Next, the health secretary intervened with a demand for "transparency". Everything has to be forced out of this "health watchdog".

On the first par in this "reply", where I had asked how much the Update Report cost taxpayers, several Parliamentary questions on this also got no confirmation

on what the money was for. After more PQs, the most recent answer said the sum was to reimburse Fife Health Board (for Dr Gilbert's work for the quango) Why did they dodge answering this repeatedly? Was this annual recompense or something else?

I do not think that the huge chronic pain issue should remain under virtual control by this quango and its heavily associated body, the Chronic Pain Steering Group, which now involves nine HIS appointees and was handed "oversight" of the Update Report. This became an inhouse exercise, as I stated in previous evidence. Pain sufferers need an open approach, and fresh people.

Glance also please at this most recent bad news: HIS staff being urged to spend £800,000 in February and March instead of returning unspent money to the health budget. (Sunday Mail (Record Group) investigation March 10, 2013)

[Quango bosses told staff to squander £800,000 - Daily Record](#)

From: "Robertson Steven (HEALTHCARE IMPROVEMENT SCOTLAND)"
Subject: RE: URGENT; FIGURES
Date: 21 December 2012 10:53:38 GMT
To: Dorothy-Grace Elder

Dear Dorothy-Grace

Thank you for your e-mail.

- we did not collect data on how many hours of work were spent on the benchmark report and the information has been used for a number of purposes. We do not believe work on costing it at this stage would be of any benefit to improving pain management services.
- all the staffing data that was returned by NHS boards is on the MKN website. This can easily be summed to provide an overall WTE figure.
- we listed waiting times that were returned to us by the pain services for the period 1.4.10 - 31.3.11. At that time the waiting list guarantee was 12 weeks from referral to appointment. Fife and Grampian could not meet this and Lothian could not give us an accurate waiting time. All other boards were able to meet the 12 week guarantee.
- The FOI request was submitted this year - not covering the period of the update report.

Have a nice Christmas and New Year.

Yours sincerely

Steven

Steven Robertson | Project Officer

Healthcare Improvement Scotland

Gyle Square | 1 South Gyle Crescent | Edinburgh | EH12 9EB

From: Dorothy-Grace Elder

Subject: Update report and data

Date: 17 December 2012 15:32:23 GMT

To: "Robertson Steven (HEALTHCARE IMPROVEMENT SCOTLAND)"

Dear Steven,

Thanks for sending the Update data figures on paper. That was helpful for me. But concern has been expressed that transparency difficulties remain for patient and public inclusion.

A few questions please:

1. Do you know why Derek Feeley's letter on chronic pain still not accessible? It has been under "Oops- fix it soon" for over a week.
2. Why is the Report and data not on the HIS website, along with what seems to be all your other reports?
3. Is there a special reason for this or a request it wasn't included?
4. Waiting times: The data has numerous blanks on waiting times in weeks. Do you know why this is?
5. Waiting lists in patient numbers for Scotland were issued under FOI months ago, for both first and second appointments. This also disclosed waiting weeks. So was there a decision not to use the FOI figures?
6. How much did the Update Report and Data cost?
7. Do you have an overall figure for health workers, in WTE numbers, in chronic pain? Some of the data is not clear for adding up.

Look forward to hearing from you,

Regards, DG