

## Interim report response summary

Over a period of time, I advised management at the Bundaberg Base Hospital of many issues relating to the safety and welfare of patients, and the welfare and mistreatment of staff alike, but little or no action was taken. Such practices continued, culminating for me when management mismanaged a job application I made, failing to give me assistance I was legally entitled to, despite numerous requests from me for help. Even when alerted to this mismanaged processes (as high up as the nursing DON), the unfair process was not stopped, and positions were still awarded. Management failed to follow relevant QH (Queensland Health) policies or Code of Conduct throughout, and then later denied me several other positions as well.

My health suffered as a result of the lack of fairness or support from management, and I was forced to take time off to recover, suffering from stress. In time, I made a WorkCover claim for stress leave, believing that management would simply (and honestly) agree to what had happened to me, and support me in this simple matter. Instead, they did their best to infer that nothing unfair had occurred, and that no safety issues (or other issues) had occurred that could have upset me. Thus, the cover-up began, and my WorkCover claim was rejected on the basis of management's erroneous statements. The list of wrongs has exploded since I sought justice on these simple matters.

I then made a QComp appeal against the unfair finding by WorkCover. Subsequently, in September 2008, in a meeting with the Director of Nursing, I was advised that the hospital would investigate all my complaints fairly. Instead, and shortly after, QH lawyers strenuously resisted my QComp appeal. My appeal was, however, despite all QH efforts, successful in October 2008. **QComp overturned the previous negative WorkCover decision on the basis of the documented evidence I provided, effectively finding that management had not responded accurately in the WorkCover investigation.**

In January 2009, I then attended the CMC to report concerns about the Bundaberg Base Hospital. **These included safety issues, behavioural issues of certain staff, and particularly questionable responses given to the original WorkCover investigation, as well as other issues.** The CMC delegated almost all of my concerns to QH to have its various bodies investigate and deal with the issues I raised. High among my claims was that staff were not given feedback on issues raised through the PRIME reporting system (hence giving no visible assistance to struggling staff), and that management had possibly lied or given misleading statements to the WorkCover investigation.

Several investigations and reports followed.

- February 2009 – Patient Safety Centre report released, noting that Bundaberg Base rated poorly in relation to giving feedback to complaints / issues raised by staff in (PRIME) reports.
- February 2009 – Ayre report released, which looked into problems and complaints about inaction and lack of feedback to concerned staff using the PRIME system of reporting.
- Following these reports, recommendations and some changes were made to the PRIME system.
- March 2009 – Brennan report released, finding many issues requiring addressing at the Bundaberg Base Hospital.
- Following this report, considerable extra funding was given to Bundaberg Hospital.

Since the CMC didn't deem that the injustices I had faced at the hands of hospital management warranted its intervention, my claims of management impropriety were handed over for investigation by the ESU (Ethical Standards Unit) of QH. In September 2009, I was provided

with the ESU Interim report into my allegations. I found the report to be erroneous and (I believe) totally biased on almost every point. **Notably, at no time was I informed of any offer that I could respond** to the report, just that I would be advised when the final report was released, and in the meantime that I was **to keep the interim report confidential**.

Hence, I was effectively prevented from seeking help or advice from anyone.

**I find the ESU interim report to be erroneous on almost every issue. Almost none of the evidence I provided the ESU (or informed the ESU of) was quoted, but management's statements were taken as correct and reliable** (without ever any documented evidence), even when directly refuted by my documented evidence. **My successful QComp appeal is not quoted, except to paint me in a bad light, and even this quote is misused by the ESU. I believe the ESU has acted with absolute bias against me. The ESU interim report also conveniently and regularly quoted one particular expert report to support its erroneous findings, even though that report is fraught with obvious problems, and contains at least one monumental blunder – which was again used to wrongfully impugn my character and credentials.**

Thus, in October 2009, I again requested CMC intervention, since the ESU interim report was rife with errors and what I believe to be blatant and consistent bias against me, and since ESU's own guidelines have been ignored and breached. The CMC refused to intervene, even though I informed it of what I believe to be official misconduct and bias by the ESU.

All along the investigation had been purported to be an ESU investigation, with all documentation identifying it as the same. I even had to assert that I would not lie, and would be penalised if I did. When I began to complain about the integrity of the ESU investigation, the ESU Director then informed me it was not actually an ESU investigation at all, but rather that an ESU investigator had simply been on loan to another QH department. **Hence, it is my firm belief that having realised that the ESU could be exposed for this bungled and likely biased report, it has moved to distance itself from it.**

Besides this, lying to the ESU carries penalties. **Hence, it is also my belief that by making the investigation nothing more than a departmental matter, serious retribution could be avoided by all, if indeed management responses and the investigation itself can be exposed as the cover-up and shambles I believe it is.**

When I informed the QH CEO of the many errors and biases within the ESU interim report, even he was surprised, **having no knowledge of it being anything other than an ESU investigation.** I had already drafted a letter of complaint about what I believed to be a complete lack of integrity with the ESU investigation, with the intention of sending the letter to the CMC, who declined any interest in the matter. Upon request of the QH CEO, I (naively) sent the letter to him instead. Upon receipt of this letter of complaint, which outlined in brief at least a dozen major blunders and/or biases within the ESU interim report, the CEO stated that he would "*consider a few options*", and get back to me on how I should proceed with responding formerly to the report.

Almost three weeks after sending my letter of complaint, the CEO responded formally to me, **noting that he had already acted to have at least one major error in the ESU interim report fixed**, by having the expert who made it amend his ludicrous, erroneous comments. I was mortified, since I had clearly made it known that I didn't want the interim report 'fixed', but rather those people who had given false, misleading or blatantly wrong information properly investigated.

Hence, what was purported as an ESU investigation from the outset, has been seriously interfered with by the very CEO who the investigation supposedly now belongs to. **Moreover, the investigation is fraught with errors, bias and an almost total absence of consideration of my documented evidence (which I supplied) – even though management could supply almost no evidence to refute my claims.**

The ESU has constantly taken management's word as absolute and honest, even though

my emails, documents etc. prove many errors or falsehoods in their statements. The ESU report is also riddled with obvious logic and bias issues.

Please recall that another investigative body, QComp, had already found in my favour on many of the same issues **based on much of the same documented evidence I provided – evidence the ESU conveniently, consistently and blatantly ignored and failed to quote.**

Even when I offered irrefutable documented proof to the CMC that an investigative body (the ESU) had likely shown bias against me, and had possibly acted corruptly in an effort to put hospital management in a better light than they deserved, and to help them avoid responsibility for both their actions and their previous erroneous statements, the CMC refused to investigate.

When alerted to serious problems within the ESU investigation, the QH CEO also acted without hesitation to have at least one witness amend his erroneous (and ludicrous) mistake, while sending me a formal letter that was clearly intended to give me the impression that I should not expect any kind of a listening ear, or any hope of justice.

Hence, I have experienced that not only has Bundaberg Base Hospital management acted without due care and consideration toward me (and possibly without honesty), giving convenient statements that put them in a better light than they deserve, but it is my firm belief that the ESU has also made all effort to assist in what I believe is a cover-up, even at the cost of ignoring my documented evidence in favour of management's unsupported claims.

Since the ESU would not investigate with any integrity, and the CMC ignored me when I told them of possible corruption of the ESU investigative body, then I find myself left with no other option but to turn to a more public route in the hope of exposing what I believe to be a cover-up from start to finish. My husband and I have fought this matter alone, against huge and powerful bodies that have enormous legal and financial resources, for over a year, and we call for those in power to look properly into what I believe is absolute corruption.

**I am not happy about having to venture out from anonymity and necessary reclusiveness brought on by my stressed, weakened state of health, due to this harmful debacle. Moreover, my health, which has already been proven to have suffered because of management's failure to act in a reasonable manner, is now suffering a far worse fate due to an even larger and more brutal wrong.**

**I now call on my elected representatives to investigate these biased, culpable acts.**

For assistance, I have included a brief outline of some of the problems I have faced:

#### Interference or Lack of Assistance

- CEO was advised that the investigation was biased against me, but has allowed the investigation to continue, acting only to clear up at least one of its blatant mistakes, but not to investigate bias.
- CEO, when alerted to obvious blunder in the ESU report, quickly acted to have one supposed expert amend his opinion, and thus the report amended too.
- I was never advised that I had the right to respond to the interim report, except by accident, when the CEO found out he was (supposedly) in charge of the investigation, after my initial plea for help to the CMC for assistance.
- CEO states that I am not allowed (or to expect) natural justice in the process.
- On two occasions I requested intervention by the CMC, but was rejected. Both times I advised them that I was concerned how the ESU investigation had been biased against me, ignoring my evidence given, and breaking ESU's own guidelines.

#### Quoted Sources used by the ESU

- At no time was I ever interviewed by Dr Ayre or Dr Brennan, even though I was the complainant who raised issues, and thus brought about their investigations.
- Widely quoted Dr Ayre seems to lack consideration of QH policies and Code of Conduct, even though these were within the terms of reference of his report.

- Dr Ayre also addresses a completely unrelated medical issue in his report, thus wrongly impugning my character and credentials. ESU gladly quotes this miscarriage.
- I was never re-interviewed by the ESU or HQCC to confirm information they obtained from management, even though many of management's statements conflicted with documented evidence I supplied, and even though management (almost without exception) cannot supply documentation to confirm their statement of events.
- Management responses were presumed correct (without exception), despite a total lack of documented evidence.

#### Errors and Omissions in the ESU Report

- My documented evidence supplied to the ESU (or its existence stated) was not quoted, even though it proves my claims.
- No evidence supplied by management, but their word taken, even in the face of my documented evidence.
- One expert's opinion used to discredit my character and credentials, did not even report on the same medical condition I queried. Thus, this expert vilified me, but did not even speak on the matter at hand, showing a total lack of investigative credibility or medical correctness.
- The length of time since incidents occurred, used continually as an excuse for not investigating, even though I had reported all such incidents when they happened, and despite my documented evidence.
- ESU assumed that Bundaberg emails could not be sourced (due to time elapsed), even though Bundaberg does not follow corporate policy by deleting them. This matter confirmed in writing by CEO. Thus, the ESU didn't even check properly into the availability of documented evidence.
- ESU stated that I did not raise at least two issues when they occurred, but I hold documented proof that I did. This evidence was available to the ESU.
- Abusive behaviour in the workplace deemed as acceptable by the ESU.
- An allegation of bullying in the workplace was ignored by the ESU, who found that a manager had not done so, just at her word, even though almost thirty witnesses were available to interview, but were apparently not.
- The ESU and at least one expert blatantly ignore QLD Health policies and/or Code of Conduct, allowing for and supporting, inappropriate, harmful and abusive behaviour by management.
- ESU stating that a 19 hour wait for a patient to be seen is acceptable.
- The ESU makes no clear recommendations to ensure inappropriate behaviour or poor management practices do not continue.
- Simple facts not checked by the ESU, and management responses presumed correct (even though these are proven otherwise in my detailed response).
- On at least one occasion, the ESU investigated the wrong issue to what was in my original statement.
- Investigator's lack of knowledge and concern for child safety issues.
- **The Investigator identifies that the effort and expense required to determine whether medical practitioners are providing appropriate care would be an unjustifiable use of resources. This is very frightening, especially given the fact that they are investigating issues surrounding the Bundaberg Base Hospital.**

I have also listed a general timetable of events for clarification:

- July/Aug 07-March 08 work injury including mistreatment of patients, lack of care, etc. at Bundaberg Base Hospital, I advised management. They took no action.
- 16 May/08 – WorkCover claim made.
- 27 June/08 – WorkCover claim rejected.
- 5 Sept/08 – meeting with nursing DON, who assured me the hospital would investigate my complaints. Instead, QLD Health lawyers responded firmly against my Q-Comp appeal.
- 27 Oct/08 – Q-Comp overturned WorkCover decision, due to documented evidence I provided.
- Jan/09 – I attended CMC to report concerns about Bundaberg Base Hospital and as a result, 6 investigations into my allegations began.
- Feb/09 – Pt Safety Centre report released – Bundaberg Base significantly lower than other QLD Hospitals in feedback to staff regarding PRIME reports.
- Feb/09 – Ayre report released – PRIME changes were implemented.
- March/09 – Brennan report released - \$funding to Bundaberg Base & changes made.
- 22 Sept/09 – I was provided with the ESU Interim report into allegations, with no offer of response made, just that I would be advised when the final report was released and in the meantime to keep the interim report confidential.
- 16 Oct/09 – I requested CMC intervention into problems with the interim report, including obvious bias in the investigation and likely official misconduct. CMC stated no longer involved, told me to contact Director of ESU. ESU Director stated not an ESU investigation, directed me to contact QH CEO. CEO surprised, unaware investigation was not ESU. CMC letter of complaint sent to CEO at his request, seeking assistance in getting unfair and biased investigation overturned, and those responsible investigated.
- 21 Oct/09 – CEO states he is “considering a few options”
- 30 Nov/09 – I contacted CMC again, and again requested intervention, stating biased ESU investigation and likely official misconduct. Their response was to wait for final report, and if still not satisfied, then to contact Qld Health Corporate Office.
- 5 Nov/09 – QH CEO formally responds, stating the ESU investigation is now his responsibility. Also, that I should not expect natural justice or a positive outcome. Also, since receiving my plea for help, CEO informed Stephen Ayre of the glaring mistake in his report, and advised him to review his advice in the ESU interim report investigation.
- Nov/09 – HQCC investigation continues, currently with Medical Board.