

To: Ms Susan Pearce,
Secretary,
NSW Health.

Via email: [REDACTED]

From: Winston Cheung,
Chair, Medical Staff Council,
Concord Repatriation General Hospital.
Email: [REDACTED]

6th September 2023.

Re. Request for formal confirmation that NSW Health will not be instigating an independent investigation, with oversight external to NSW Health, into the allegations of intimidation, bullying and harassment, maladministration and poor governance raised by staff at Concord Repatriation General Hospital.

Dear Susan,

I write to ask you to confirm that NSW Health will not be instigating an independent investigation, with oversight external to NSW Health, into the allegations of intimidation, bullying and harassment, maladministration and poor governance raised by staff at Concord Repatriation General Hospital, as a result of the recent Vote of No Confidence in the Chief Executive of the Sydney Local Health District, on the 29th June 2023.

I wrote to you on the 25th August 2023, requesting this action on behalf of the Concord Repatriation General Hospital Medical Staff Council.

I received a letter dated 29th August 2023 from Phil Minns, Deputy Secretary, which appears to indicate that NSW Health will not be instigating an independent investigation, with oversight external to NSW Health, into these matters.

The letter states that “no such properly particularised complaints have been made to the Ministry or the SLHD Board”.

However, the SLHD Board were present at a meeting with over 60 Concord Hospital staff on the 9th August 2023, where **9 individuals or departments presented personal or departmental accounts of intimidation, bullying, harassment, maladministration or poor governance at Concord Hospital.**

Prior to this meeting, neither the SLHD Board nor NSW Health had formally asked the Concord Hospital MSC to provide them with the reasons for the Vote of No Confidence in the Chief Executive of the SLHD. The Medical Staff Council had to call this meeting to inform the SLHD Board and NSW Health of these reasons.

Investigation of the allegations of **intimidation, bullying, harassment, maladministration or poor governance at Concord Hospital** cannot be performed internally in a transparent, unbiased, fair and reasonable manner at Concord Hospital because the Chief Executive has oversight of this function. There is a significant potential conflict of interest and staff fear reprisals.

NSW Health cannot have oversight of such an investigation because of the close working relationship between the SLHD Board, NSW Health and the Chief Executive. This again represents a potential significant conflict of interest and again staff fear reprisals.

The only way an investigation can mitigate the potential conflicts of interest is if the oversight is external the NSW Health.

Again, on behalf of the Concord Repatriation General Hospital Medical Staff Council, I formally request that NSW Health arrange an independent investigation, with oversight external to NSW Health, into the allegations of intimidation, bullying and harassment, maladministration and poor governance raised by staff at Concord Repatriation General Hospital.

I request again that the entity overseeing this investigation must be independent of, and external to NSW Health, such as the NSW Ombudsman.

The reason for the oversight of the investigation being independent and external to NSW Health is to mitigate concerns regarding potential conflict of interests, bias, the influence of power networks and informal networks, the perceived protection of those who have engaged in these behaviours, and to ensure accountability.

Please advise us if you do not intend to instigate this investigation, despite this second request.

Please be advised that I will circulate this letter and your response to the Medical Staff Council members.

Please do not hesitate to contact me with any queries.

Yours Sincerely,

Winston Cheung,
Chair,
Medical Staff Council,
Concord Repatriation General Hospital.
Senior Staff Specialist,
Intensive Care Unit,
Concord Repatriation General Hospital.
Clinical Associate Professor,
Sydney Medical School – Concord, University of Sydney.