Outrage at severity of punishment dished out to whistleblower nurse

By Petra Kendall-Raynor

The Nursing and Midwifery Council (NMC) has received hundreds of complaints about its decision to remove a whistleblower from its register.

Margaret Haywood was last week banned from nursing after exposing the neglect of older patients at Brighton and Sussex University Hospitals NHS Trust for a BBC Panorama documentary in 2005.

As Nursing Standard went to press, more than 1,500 people had signed an RCN petition showing their support for the nurse. Last year Ms Haywood was cleared of two allegations of misconduct, but received the ban after admitting breaching patient confidentiality.

The decision was made by an NMC professional conduct committee of one lay chair and two nurse registrants.

Ms Haywood said the decision has dealt a blow to nurses wishing to report poor standards of care. She told Nursing Standard: ‘Nurses are going to be afraid to raise these sorts of issues. Nurses should have the courage of their convictions and try to make their managers listen. But I would not advise anyone to do the same as I did.’

As a result of the ruling, Ms Haywood has been suspended from her job as a nurse training and development manager for a private healthcare company. Ms Haywood did not gain financially for her part in the filming. She was paid the rates of an agency nurse by the BBC for her part in the Panorama documentary.

Appeal advice

Ms Haywood, an RCN member, is seeking legal advice about appealing the NMC decision and has 28 days to lodge an appeal in the High Court.

In September last year Norma Ndebele received a caution from the NMC after filming scenes of poor care for a Channel 4 Dispatches programme, broadcast in the same year as the Panorama documentary.

RCN director of legal services Chris Cox said: ‘We are very surprised at the severity of the punishment dealt out to Ms Haywood by the NMC panel.’

Unison head of nursing Gail Adams said that her union was planning to issue specific guidance for nurses and midwives about whistleblowing.

A Department of Health spokesperson maintained that whistleblowers already have full protection under the Public Interest Disclosure Act.

An NMC spokesperson said the case was not about whistleblowing but breaking confidentiality, which is in breach of the code of conduct. ‘Consent was not gained prior to filming,’ she said.

A BBC spokesperson said: ‘Panorama believes Margaret Haywood has done older people in this country a great service.’

A Brighton and Sussex University Hospitals NHS Trust spokesperson said standards have improved since filming took place.

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No doubt that exposé stopped neglect from continuing

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