

Lack of transparency puts health service at risk

By Roger Kline

Some politicians appear more concerned with risks to their own power and careers than with the risks faced by the users of public services for which they are responsible. How else to explain the British government's refusal to comply with a demand from the official Information Commissioner to publish the risk assessment prepared by its own civil servants about its National Health Service (NHS) reforms?

The Conservative government under Prime Minister David Cameron came to power two years ago promising no fundamental reforms of the NHS. But Cameron appointed as Secretary of State for Health a politician, Andrew Lansley, who had long been planning to introduce market reforms, and so he did.

Those plans have now become law amid widespread fears -- and growing evidence -- that the result will be NHS privatisation and poorer health outcomes for many patients. If the outcome of the risk assessment carried out by civil servants suggests otherwise the government could allay those fears by publishing their report, as Britain's Information Commissioner has said it should. An independent tribunal confirmed the demand last month after the government said it would not publish the 'Risk Register', as the assessment it is obliged to conduct is officially termed.

Saying one thing, doing another

Now Lansley has announced that he will exercise his veto -- which has happened only three times before since the freedom of information laws were introduced in 2000 -- to prevent publication. Yet shortly after taking office he [wrote](#):

"We need a cultural shift in the NHS from a culture responsive mainly to orders from the top down to one responsive to patients, in which patient safety is put first. We will shine a bright light on NHS performance. A new culture of openness and transparency will transform patient care.....Where

Public World associate [Roger Kline](#) is a prominent advocate of transparency in public services, an advisor to the chief executive of Public Concern at Work and co-author of an important new [book](#) on the professional public servant's 'duty of care'.

Here he challenges the British government to comply with the demand of the country's official Information Commissioner and publish the risk assessment carried out by civil servants about its National Health Service reforms.

If the government won't publish it, he suggests, the public is entitled to wonder what it is trying to hide.

the NHS embraces a culture of transparency, of learning from its mistakes and constantly striving for higher performance, it is a world-beater.”

He was right then and is wrong now, and the obvious question is: what is the government determined to hide?

The Department of Health states the decision was made because it was an “exceptional case where there is a fundamental disagreement on where the public interest lies.....Ministers and officials should be able to deliberate sensitive policy formulation, in expectation that their views are not published at a time when it would prejudice the development and delivery of policies.”

But critics argue that the ministerial veto allowed under the freedom of information law was never intended to be used in this way, and Peter Carter, head of the Royal College of Nursing, has described the decision as “astonishing”. He told the BBC: “Despite overwhelming opposition, the government is undertaking the most radical restructure of the NHS at the same time as the service faces severe financial challenges.”

The leaked earlier [summary version](#) of the Risk Register makes it clear why Ministers might not want to publish the full and final version. The summary version amounts to a catalogue of concerns that are more likely to fuel than allay public anxiety about the impact the government’s reforms will have on their health care. No wonder more than 167,000 people have signed a petition calling for the publication of the full report, sharing the Information Commissioner’s view that the public interest demands it.

Democracy requires transparency

It is not hard to see why, as the case is unanswerable: how can a public service be democratically run if the people who use it are not allowed to judge whether the government responsible for the service has weighed up the risk of policy reforms in a reasonable way?

But it would appear that when Secretary of State Lansley uses the words “transparency” and “public interest” his model is Humpty Dumpty, who explained to Alice in Lewis Carroll’s *Through the Looking Glass* that “when I use a word it means just what I choose it to mean—neither more nor less.”

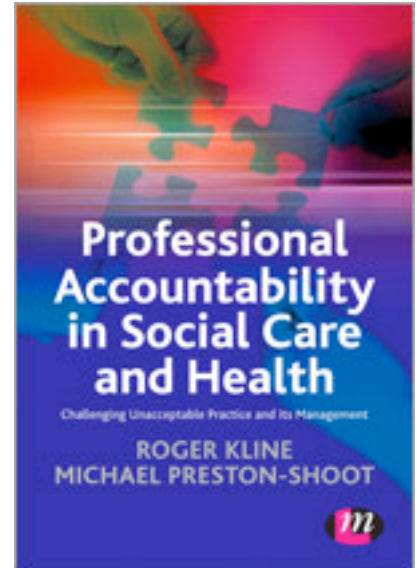
The government says it will publish the Risk Register “when the time is right”. Apparently that is going to be after the risks materialise, since to publish now would confirm how disastrous the NHS reforms will be. So let’s have some openness and transparency now, not after the plans unravel at our expense.

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**Public World,
34b York Way,
London N1 9AB**

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