



Mr Will Moy
Director, Full Fact
9 Warwick Court
London WC1R 5DJ

Sent via email to: william.moy@fullfact.org

13 April 2016

Dear Mr Moy,

I am responding to your letter of 11 February 2016 that in turn was a response to the Secretary of State's office's letter of 26 November 2015. For the record, the chronology of events was as follows:

- 23 October 2015 – Letter from Will Moy, Full Fact to Rt Hon Jeremy Hunt MP, Secretary of State for Health
- 26 November 2015 – Response from Secretary of State for Health's office to Will Moy, Full Fact
- 11 February 2016 – Response from Will Moy, Full Fact to Rt Hon Jeremy Hunt MP, Secretary of State for Health (copied to the Permanent Secretary, Department of Health)

In your original letter of 23 October 2015 you expressed concern regarding the statement made by the Secretary of State in the House of Commons on 13 October 2015 which referenced an article in the British Medical Journal (BMJ).

As the reply from the Secretary of State's office sets out, the BMJ article is only one piece of evidence regarding the link between the "weekend effect" and the way services are organised. Over the last decade, an increasing number of research studies have examined the association between weekend hospital admissions and poorer patient outcomes, including higher rates of mortality. There is significant evidence demonstrating, in Professor Keogh's words, "an avoidable weekend effect which if addressed could save lives." NHS England's Seven Day Forum, established and led by Professor Keogh, has said that the "weekend effect" is likely to be a consequence of variable staffing levels at the weekend and the absence of senior decision makers (consultants), as well as access to specialist services such as diagnostics. The Academy of Medical Royal Colleges also said in its report, *Seven Day Consultant Present Care*: "The weekend effect is very likely attributable to deficiencies in care processes linked to the absence of skilled and empowered senior staff in a system which is not configured to provide full diagnostic and support services seven days a week." The Secretary of State's statement drew on this body of evidence.

You also refer to Sir Andrew Dilnot's letter on this topic which is published on the UK Statistics Authority website. Sir Andrew notes that the BMJ article does not itself

*From the Permanent Secretary
Dame Una O'Brien DCB*

demonstrate causality between excess deaths at the weekend and reduced clinical cover; however, he also comments that “it seems reasonable to conclude that the article argues for a careful consideration of weekend service provision.” As you will know the authors of the article themselves, although noting that it is not possible to determine how many of these deaths were avoidable, state that the statistic of 11,000 deaths “raises challenging questions about reduced service provision at weekends.” Sir Andrew also observes that “in other statements, the Secretary of State (for example, in an article in the Daily Telegraph on 1 November) has referred to the BMJ article in a manner that does not imply causality.”

In your letter of 11 February you asked me to take the necessary steps to ensure that the Ministerial Code is fulfilled, and a correction to the Parliamentary record arranged. For the reasons outlined above, it is my belief that the Secretary of State did not breach the Ministerial Code of Conduct.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Una O'Brien', followed by a period.

Signed electronically after approval by Una O'Brien

**UNA O'BRIEN
PERMANENT SECRETARY**