

Raising concerns about patient safety

1 In our core guidance for doctors, *Good Medical Practice* (2006) we advise that:

- You must protect patients from risk of harm posed by another colleague's conduct, performance or health.¹
- If you have good reason to think that patient safety is or may be seriously compromised by inadequate premises, equipment, or other resources, policies or systems, you should put the matter right if that is possible. In all other cases you should draw the matter to the attention of your employing or contracting body. If they do not take adequate action, you should take independent advice on how to take the matter further. You must record your concerns and the steps you have taken to try to resolve them.²

2 We also produce guidance for doctors who have a management role. This makes clear that such doctors have a duty to:

- Ensure that reporting procedures are in place and that staff are aware of them.³
- Respond promptly and professionally to incidents and complaints.⁴

3 This supplementary guidance is intended to provide more detail about how to comply with these principles. The purpose of this guidance is to help you to raise any concerns you have that patients might be at risk, and to advise on the help and support available to you. Whilst it provides suggestions about what to do and who to approach, it cannot be exhaustive. You will therefore need to use your judgement to apply the principles to your particular circumstances. If you are unsure of how they apply to your situation, then you should seek advice.

Obstacles to reporting

4 You may be reluctant to report concerns for a variety of reasons including, for example because you fear that this may cause problems for colleagues, adversely affect working relationships, have a negative impact on your career or result in a complaint about you. If you are hesitating about reporting a concern for these reasons, you should bear in mind that:

- your duty to put patients' interests first and act to protect them must override personal and professional loyalties
- the Public Interest Disclosure Act 1998 provides legal protection against victimisation or dismissal for individuals who disclose information in order to raise genuine concerns and expose malpractice in the workplace
- you will be able to justify raising a concern – even if it turns out to be groundless – if you have done so honestly, promptly, on the basis of reasonable belief and through appropriate channels.

Routine reporting

5 Early, routine notification of adverse incidents or near misses can allow issues to be addressed, problems rectified and lessons learned without patients coming to any harm. You should familiarise yourself with, and use, the clinical governance and risk management structures and processes within the organisations for which you work or to which you are contracted.

Raising a concern

6 If you have reason to believe that patients are, or may be, at risk of death or serious harm for any reason, you should report your concern to the appropriate person or organisation straight away. Do not delay doing so because you yourself are not in a position to put the matter right.

7 Wherever possible, raise your concerns with your manager or an appropriate officer of your employing/contracting body – such as the consultant in charge of the team, the Medical Director or a practice partner – in the first instance. If your concern is about a partner then it may be appropriate in that instance to raise it outside the practice – for example with the Medical Director or Clinical Governance Lead at your Trust or Health Board. If you are a doctor in training then it may be appropriate to raise your concerns with a named person in the Deanery, for example the postgraduate dean or director of postgraduate general practice education. You should follow any procedure where you work for reporting adverse incidents and concerns.⁵

- 8** Be clear, honest and objective about the reason for your concern. Acknowledge any personal grievance that may arise from the situation, but focus on the issue of patient safety.
- 9** Keep a record of your concerns and any steps that you have taken to resolve them.
- 10** You should contact an external body with authority to investigate the issue (such as those listed at the end of this guidance) in the following circumstances:
- if you cannot raise the issue with the responsible person or body locally because you believe them to be part of the problem
 - if there is an immediate risk to patients from a colleague and an external body needs to be alerted straight away (though in such cases you should also, at the same time or immediately afterwards, make the employing/contracting body aware of your concerns and the action you have taken)
 - if you have raised your concern through local channels but are not satisfied that the responsible person or body has taken adequate action.

Making a concern public

- 11** If you:
- have done all you can to resolve your concerns by raising them within the organisation in which you work/ to which you are contracted, or with the appropriate external body; and
 - have good grounds to believe that patients are still at risk of harm

you may consider making your concerns public, provided that patient confidentiality is not breached. You should consult a defence body or professional association before making a decision of this kind.

Help and advice

- 12** If you are unsure whether, or how, to raise your concern, you should seek advice from:
- a senior member of staff or other impartial colleague
 - your medical defence body or a professional association such as the BMA
 - the GMC (or, if your concern relates to a colleague in another profession, the appropriate regulatory body)
 - Public Concern at Work – a non-statutory, charity which provides free, confidential legal advice to people concerned about wrongdoing at work who are not sure whether or how to raise their concern.

Useful contacts

Advice and help

British Medical Association
020 7387 4499
www.bma.org.uk
BMA House

Tavistock Square, London WC1H 9JP
Medical and Dental Defence
0141 221 5858
www.mddus.co.uk
Union of Scotland, Mackintosh House
120 Blythswood Street, Glasgow G2 4EA

Medical Defence Union Limited
0800 716 646
www.the-mdu.com
230 Blackfriars Road, London SE1 8PJ

Medical Protection Society
020 7637 0541
www.mps.org.uk
33 Cavendish Square, London W1G 0PS

Public Concern at Work
020 7404 6609
www.pcaw.co.uk, helpline@pcaw.co.uk
Suite 301
16 Baldwins Gardens, London EC1N 7RJ

Regulatory/investigatory bodies

General Dental Council
020 7887 3800
www.gdc-uk.org
37 Wimpole Street, London W1G 8DQ

General Medical Council
0161 923 6602
www.gmc-uk.org
St James Buildings
79 Oxford Street, Manchester M1 6FQ

Healthcare Commission
020 7448 9200
www.healthcarecommission.org.uk
Finsbury Tower
103 – 105 Bunhill Row, London EC1Y 8TG

Health Professions Council
020 7582 0866
www.hpc-uk.org
Park House
184 Kennington Park Road, London SE11 4BU

National Patient Safety Agency
020 7927 9500
www.npsa.nhs.uk
4-8 Maple Street, London W1T 5HD

Nursing and Midwifery Council
020 7637 7181
www.nmc-uk.org
23 Portland Place, London W1B 1PZ

Royal Pharmaceutical Society
for Great Britain
020 7735 9141
www.rpsgb.org
1 Lambeth High Street, London SE1 7JN

Footnotes

- 1 *Good Medical Practice* (GMC, 2006), paragraph 43
- 2 *Good Medical Practice* (GMC, 2006), paragraph 6
- 3 *Management for Doctors* (GMC, 2006), paragraph 15
- 4 *Management for Doctors* (GMC, 2006), paragraphs 44 and 45
- 5 Health Service Circular 1999/198 states that every NHS Trust and Health Authority should have in place policies and procedures which comply with the Public Interest Disclosure Act, and as a minimum, include:
 - Guidance to help staff who have concerns about malpractice raise these reasonably and responsibly with the right parties
 - The designation of a senior manager or non-executive director with specific responsibility for addressing concerns which need to be handled outside the usual management chain
 - A clear commitment that staff concerns will be taken seriously and investigated
 - An unequivocal guarantee that staff who raise concerns responsibly and reasonably will be protected against victimisation.

