

9 September 2021

Ms Margaret Kelly  
Regulation and Quality Improvement Authority  
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**General  
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Dear Margaret,

**Northern Ireland Public Sector Ombudsman (NIPSO) Consultation on creating complaints handling standards for the NI public sector: GMC response**

- 1 We welcome the opportunity to comment on the consultation on creating complaints handling standards for the NI public sector.
- 2 Some of the questions in the consultation fall outside our regulatory remit. We have restricted our comments to a small number of areas. For these reasons, as well as for ease of reading, we have chosen to respond to the consultation in the form of a letter.

**The GMC's role and remit**

- 3 The General Medical Council (GMC) is an independent regulator that helps to protect patients and improve medical education and practice across the UK.
  - We decide which doctors are qualified to work here and we oversee UK medical education and training. There are approximately 337,000 doctors on the UK medical register. Of these, approximately 299,000 have a licence to practise.
  - We set the standards that doctors need to follow, and make sure that they continue to meet these standards throughout their careers.
  - We take action to prevent a doctor from putting the safety of patients, or the public's confidence in doctors, at risk.
- 4 Every patient should receive a high standard of care. Our role is to help achieve that by working closely with doctors, their employers, and patients to make sure that the trust patients have in their doctors is fully justified. We expect doctors to be familiar with and follow our ethical guidance and be willing and able to justify any departure from it.

## Key comments

- 5 We support the need to standardise complaints handling processes across the Health and Social Care (HSC) service in NI. We believe aligning processes can increase consistency, produce better results, and reduce duplication.
- 6 In 2019 we commissioned three independent reports, ([Fair to refer](#); [Independent review of gross negligence manslaughter and culpable homicide](#); and [Caring for doctors, Caring for patients](#)) on how our Fitness to Practise processes could be fairer and more supportive.
- 7 We suggest that, where possible, concerns and complaints should be addressed locally.
- 8 The [Independent report on gross negligence manslaughter and culpable homicide](#), found improvements arising from complaints most likely come through local investigations, focused on learning, not blame.
- 9 Investigation teams require the appropriate experience, skills and competence (including understanding of human factors) to undertake investigations.
- 10 It is also important that investigations take into account the context in which individuals work – with particular consideration given to the systemic factors that shape this. This includes local cultures, effective induction, feedback and ongoing support, particularly for staff at greater risk of isolation (as set out in our Fair to Refer report).
- 11 Based on our experience and expertise we have published our Good Investigation Principles, which can be found [here](#). These are the key principles that we believe should underpin investigations into concerns about fitness to practise.


## Question 5-8 Response to complaints

- 12 Investigations and complaint procedures can be extremely stressful for both the staff and families involved. This can be compounded by factors such as being excluded from the process, not receiving information about the process that is being followed and not having advice about their rights.
- 13 We welcome a requirement to involve and support families and staff as much as possible. Our [patient charter](#) places an emphasis on improving our understanding the experiences of patients, relatives, and carers to make our interactions with all those we work with better.

## Question 9-10 Learning from complaints

- 14** We welcome HSC organisations having effective oversight of their complaint processes, i.e. monitoring patterns in decision making and evaluation of the learning and reflection from complaints. We believe HSC organisations must lead in developing open cultures, in which candour is encouraged and learning from errors is enabled.

Yours sincerely,

A handwritten signature in cursive script that reads "J Kennedy". The signature is written in black ink on a light-colored background.

Jane Kennedy  
National Head - GMC Northern Ireland