

Good Management Practice Consultation
Standards and Ethics Team
General Medical Council (GMC)
Regent's Place
350 Euston Road
London NW1 3JN



24 May 2011

Dear Sir/Madam

**GOOD MANAGEMENT PRACTICE: GUIDANCE FOR ALL DOCTORS
RAISING AND ACTING ON CONCERNS ABOUT PATIENT SAFETY AND
WRITING REFERENCES**

I am grateful for the opportunity to comment on the GMC's proposed guidance setting out the wider responsibilities of doctors in the workplace, together with supplementary guidance specifically addressing concerns about patient safety and writing references. We appreciate that this is not intended to duplicate the principles, duties and responsibilities set out in *Good Medical Practice*, but is intended to cover the broader duties of doctors in relation to employment and staff management.

As Health Service Ombudsman I provide a service to the public by undertaking independent investigations into complaints of injustice or hardship resulting from maladministration or poor service by the National Health Service. The important contribution which complaints can make to an evaluation of the patient experience is referred to in this guidance and we have some comments to make in relation to that. We do not intend to comment on those *Good Management Practice* sections providing guidance on employment related matters (i.e. the efficient use of resources; effective working with colleagues; supervision and training; grievance and performance procedures; and performance review and revalidation). Nor have we any comment to make on the section dealing with *Writing References*.

We are pleased to note that the proposed guidance covering *Raising and acting on concerns about patient safety* identifies the significant role which complaints information can make, not just to alerting a doctor to possible concerns about patient safety, but also to a wider assessment of the quality of care and the adequacy of the clinical governance systems in place. We



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also welcome the emphasis on the need to investigate and resolve complaints promptly, fairly, in an open and transparent manner and in accordance with the relevant regulations and procedures. This reflects the Ombudsman's own *Principles of Good Complaint Handling* (a copy of which I enclose for your information. These Principles - and other Ombudsman publications - are accessible via our website (see below)).

We acknowledge that the guidance states that complainants must receive a constructive and honest response with a proper explanation of what happened and, where appropriate, an apology. Further, it clarifies the responsibility of the appropriate practitioner to make sure that any recommendations arising from investigations are fully implemented. We would suggest the addition of two points as follows:

- i) That complainants are told what action has been or will be taken to prevent a recurrence of the failings identified (where applicable);
- ii) That they are informed of the next step if they remain dissatisfied with the response which, in the case of a complaint dealt with under the NHS complaint regulations (*Local Authority Social Services and NHS Complaints (England) Regulations 2009*) is a requirement of the regulations (s.14 refers) and will mean signposting to the Health Service Ombudsman.

In our view, it would be useful to reference the NHS Complaint Regulations in the footnotes on page 20, along with the other relevant publications listed; and additionally, to provide a link to our website (www.ombudsman.org.uk) as this contains helpful information about the Ombudsman's role and approach in assessing good complaint handling, as well as easy access to the relevant publications.

Yours faithfully



Ann Abraham
Parliamentary and Health Service Ombudsman