
Guidance for recruiting for the delivery of case investigator training

Responding to concerns about
a doctor's practice

Introduction

Revalidation of doctors is a key component of a range of measures designed to improve the quality of care for patients; it is the process by which the General Medical Council will confirm the continuation of doctors' licences to practise in the UK. The purpose of revalidation is to assure patients and the public, employers and other healthcare professionals that licensed doctors are up to date and fit to practise.

Through a formal link with their organisation, determined usually by employment or contracting arrangements, doctors will relate to a senior doctor in an organisation, the responsible officer. The responsible officer will make a recommendation about the doctor's fitness to practise to the General Medical Council (GMC). The recommendation will be based on the outcome of the doctor's annual appraisals over the course of five years, combined with information drawn from the organisation's clinical governance systems. Following the responsible officer's recommendation, the GMC will decide whether to renew the doctor's licence.

The responsible officer is accountable for the quality assurance of the appraisal and clinical governance systems in their organisation. Improving these systems will support doctors in developing their practice more effectively, which will add to the safety and quality of healthcare in the UK. It will also enable the early identification of those doctors whose practice needs attention, allowing for more effective intervention.

The responsible officer in a designated body has a statutory duty to initiate an investigation when there are concerns about a doctor's practice. The responsible officer must appoint an appropriately trained case investigator who is separate from the decision-making process. The case manager is often the responsible officer, but this role may be delegated to an appropriately qualified case manager who will oversee the investigation process, set the terms of reference and receive the findings.

Document purpose

In 2011 the NHS Revalidation Support Team (RST) undertook an survey in England around responding to concerns about a doctor's practice in the previous 12 months. There were also workshops facilitated in all ten of the then strategic health authorities (SHAs), with members of the responding to concerns teams (responsible officers, human resource directors and others). The survey and workshops resulted in the publication of the RST's *Supporting Doctors to Provide Safer Healthcare: Responding to concerns about a doctor's practice* in March 2012¹. One of the areas of need identified was the training of case investigators. The RST, in partnership with the National Clinical Assessment Service (NCAS), has trained more than 1,000 case investigators across England since January 2013.

There is a need to continue to provide training for newly recruited case investigators in organisations. Organisations must ensure they have access to case investigators who have had appropriate training. The purpose of this document is to describe the requirements and considerations for high quality case investigator training to enable future commissioning of this training. It also provides guidance on selection of appropriate delegates for this training.

Primary audience

This document is primarily for:

- organisations commissioning case investigator training
- providers of case investigator training.

It may also be of interest to:

- responsible officers
- case managers
- medical appraisers
- human resource managers
- occupational health professionals.

¹ A revised version was published in March 2013.

Training objective

The training should ensure that case investigators have sufficient knowledge and skills to carry out the role.

Training providers should also ensure that the training is:

- of high quality and covers all appropriate areas (see training content)
- delivered by facilitators with the correct expertise and experience (see skills and knowledge of trainers).

Training content

The training should ideally be delivered as a two-day training programme with four three-hour sessions. The training should include workshops and be interactive, including an opportunity to practice the skills a case investigator requires and for questions and answers. There should be sample cases with discussion included. Reference to national guidance should be made and provided as part of the training materials. The latter must include relevant and current NHS England policies, *Maintaining High Professional Standards in the Modern NHS* (Department of Health, 2003) and/or *The National Health Service (Performers Lists) (England) Regulations 2013* as applicable to the audience.

The following themes should be covered in the four sessions. The responsible officer regulations and remediation (1 and 7) may be covered as part of pre and post course reading provided as part of the training course.

1. Responsible officer regulations and guidance

- responsibilities of the role (particularly in relation to responding to concerns about doctors)
- general overview about NHS structures and prescribed connections
- obligation of designated body to resource the responsible officer function
- role of responsible officer networks in benchmarking/consistency
- conflicts of interest and appearance of bias
- role of GMC in revalidation i.e. *Good Medical Practice* and processes.

2. Principles

- Refer to *Maintaining High Professional Standards in the Modern NHS* (Department of Health, 2003) and/or *The National Health Service (Performers Lists) (England) Regulations 2013*, as applicable.
- Patients must be protected.
- All action must be based on reliable evidence.
- The process must be clearly defined and open to scrutiny.
- The process must demonstrate equality and fairness.
- All information must be safeguarded.
- Support must be provided to all those involved.
- role of GMC: Employer Liaison Advisers (ELAs), fitness to practice and fitness for purpose.

3. Generic framework for responding to concerns

- corporate leadership (e.g. organisational policy)
- provision of skills
- responding concerns pathway
- organisational infrastructure

4. Role of the responding to concerns team

- who should be included on the decision making group
- role of the decision making group (DMG)
- responsible officer or medical director
- case investigator
- case manager
- interactions between the case manager and case investigator
- review of knowledge and skills of a case investigator

5. What constitutes a concern?

- definition
- categorisation and why it influences process
- sample cases

6. Conducting a local investigation

- how a decision to investigate is made
- protecting those involved/information governance
- supporting those involved
- establishing scope of investigation and terms of reference
- recognition of boundaries/conflicts of interest
- equality and diversity (separate training/must be up to date)
- PEACE interviewing model
- collecting evidence (e.g. incident reports, clinical investigations)
- how to decide who to interview (statements are evidence)
- when to call on expertise
- referencing relevant national/local standards
- identifying relevant evidence
- weighing evidence
- questioning skills/communication
- report writing skills (include workshop on writing and feedback)
- timelines of process and what happens to report for final acceptance
- sample cases

7. Interventions/support

- assessment
- supervised practice
- educational (e.g. re-training, re-skilling)
- specialist (e.g. behavioural coaching, specialist health, occupational health)
- doctor support (e.g. mentoring, protected learning, career guidance)
- organisational support (e.g. legal, human resources)
- monitoring templates (e.g. doctor and organisational action plans)

8. Support of case investigator/case manager

- local support (e.g. human resources)
- feedback as part of quality assurance from responsible officer
- other quality assurance processes
- development as part of continuing professional development (CPD) and the role reviewed in appraisal
- Employer Liaison Advisers (ELAs)
- NCAS

Skills and knowledge of the trainers

All selected training providers need to be capable of delivering high quality medical management/leadership training. The providers should be able to demonstrate:

- experience of delivering and facilitating medical management/leadership training programmes with good feedback
- high-quality facilitation skills through feedback from participants on delivered programmes
- knowledge of revalidation and the organisations involved (GMC, NHS/service, Royal colleges etc.)
- detailed knowledge of the responsible officer legislation, guidance and current *Maintaining High Professional Standards in the Modern NHS* (Department of Health, 2003), *National Health Service (Performers Lists) (England) Regulations 2013* and NHS England responding to concerns policies, as applicable to the training delegates
- senior medical involvement in the delivery of the programme (e.g. involvement of a responsible officer/medical director or equivalent)
- understanding of how broader health policies/structures will impact on revalidation
- understanding of processes involved in responding to concerns about doctors
- understanding of available resources for remediation (e.g. coaching, retraining, mentorship, occupational health)

Selection of the delegates

Delegates must be appropriately selected to attend the training. The following case investigator person specification will aid selection of delegates to attend the training.

Person specification for a case investigator

The **essential** requirements are the experience, skills and knowledge of the person undertaking the role. The qualifications and attitudes are **desirable** for an effective investigator, but some could be developed through training. It is essential that such training is carried out before an investigation is undertaken.

Qualifications

- postgraduate degree or equivalent
- completion of investigator training or demonstration of knowledge of the training themes (this may not be an essential requirement prior to appointment but should ideally be completed before performing an investigation).

Experience

- involvement in medical management, medical education or appraisal
- some experience of judging or reviewing against a standard.

Skills

- high level of interpersonal and communication skills, including the ability to interview witnesses who may be vulnerable
- developed organisational and planning skills including the ability to work to tight deadlines
- developed questioning skills
- works within own limits of competence and understands sources of potential support and expertise and how to access this (e.g. medical, financial)
- ability to seek out and reference relevant standards (e.g. NICE, colleges and societies)
- ability to interpret relevant guidance documents and standards
- ability to judge relevance of information collected during investigation
- ability to give weight to (prioritise importance of) relevant evidence collected
- ability to judge credibility of witnesses
- ability to ensure safeguards are in place to avoid breaches of confidentiality
- ability to structure and write a comprehensive report which answers the questions in the terms of reference
- basic IT skills (e.g. Microsoft Office).

Knowledge

- understands the role of a case investigator and is prepared to work within the scope of a case investigator
- must engage in continuing professional development for the role
- knowledge of the revalidation and regulatory process, including *Maintaining High Professional Standards in the Modern NHS* (for case investigators of employed doctors) and/or *The National Health Service (Performers Lists) (England) Regulations 2013* (for case investigators of contractors) and/or the organisational policy/process (for case investigators of all other doctors)
- knowledge of equality and diversity issues
- knowledge of the process of investigation and its independence from the case manager role (not essential prior to appointment as will be part of training in the role)
- knowledge of the requirements of information governance
- knowledge of organisational governance structures and standards.

Attitudes

- motivated, conscientious and able to deliver to deadlines
- demonstrates integrity whilst conducting a case investigation and has strategies for dealing with potential challenges to this
- has respect of and for colleagues
- resilient and objective in situations of conflict
- committed to keeping up to date and fit to practice in the role of case investigator.