

NHS England South East (Kent Surrey Sussex)

What to do if you have concerns about the performance of a clinical colleague

Information for primary care clinicians, practices and the Responsible Officer's staff

Patients are entitled to expect that their treating clinicians are professionally competent and that they respect their views and wishes when providing care. On occasion, as in other professions, a minority of clinicians may fail to reach the standards expected of them.

Concerns about the performance of GPs (including GP Registrars or GP locums), pharmacists, optometrists and dentists can be raised by anyone who has contact with them, but close clinical colleagues and administrative staff are often very well placed to recognise problems.

Reporting a concern about a colleague is never easy, but it may be necessary to protect patient safety. It is also a requirement of your regulatory body once any registrant is aware of a problem with the performance of a fellow clinician. It is important to ensure that, in raising concerns, people understand what might happen, have their concerns taken seriously and receive appropriate personal support.

National framework

Regulatory bodies of clinical professions in this country are governed by statute.

On 1 April 2013, NHS England assumed responsibility for investigating concerns about individual primary care performers and contractors under the NHS Performers List (England) Regulations (2013). The framework is set out in NHS England's Framework for Managing Performer Concerns.

The Performance Advisory Group (PAG) will review all new and ongoing cases.

The Performers List Decision Panel (PLDP) will consider cases of a serious/or urgent nature (referred to it by the PAG).

Local arrangements

The NHS England (South East) Medical Directorate supports these groups. This includes members from the Nursing and the Medical Directorates, a discipline specific practitioner, and a lay member.

The Practitioner Performer Advise Service (PPAS) provides support and advice to NHS England regarding individual performance cases.

The groups operate under the following key principles:

- Protecting patients and the public, and enhancing their confidence in the NHS
- Identifying the possible causes of underperformance
- Ensuring equality and fairness of treatment and avoiding discrimination
- Being supportive of all those involved
- Confidentiality
- Ensuring that action is based on reliable evidence; and
- Being clearly defined and open to scrutiny.

Everyone working in the NHS is obliged to report concerns about under-performance.

Which areas might give cause for concern?

Areas of concern might include:

- Poor clinical performance
- Ill-treating patients
- Unacceptable behaviour such as harassing or unlawfully discriminating against staff or patients
- Breaching sexual or other boundaries with patients, colleagues or staff
- Poor teamwork that compromises patient care
- Personal health problems which lead to poor practice or conduct.
- Not complying with professional codes of conduct.
- Not complying with medical revalidation requirements
- Poor management or administration which adversely affects clinical care or
- Suspected fraud or criminal offence.

How do I report my concerns?

Each practice should have a clear policy on how to consider such concerns, including a named contact. You should generally contact this person or the Practice Manager in the first instance.

If you don't feel able to raise your concerns within the practice, if the problem poses a serious and/or immediate risk to patient safety, or you are unsure whether to act, you may share your concern with any of the following members of the Performance Team.

Dr Alison Taylor
Medical Director
alison.taylor7@nhs.net

Dr Claire Cochrane-Dyet
Deputy Medical Director
claire.cochranedyet@nhs.net

Karen Crossland
Head of Performance and Revalidation
karen.crossland@nhs.net

Linden Rakestrow
Programme Manager (Professional Performance)
linden.rakestrow@nhs.net

Pippa Wilson
Programme Manager (Professional
Performance) pippa.wilson3@nhs.net

Deborah Ward
Programme Manager (Professional
Performance)
deborah.ward16@nhs.net

Or email your concern to: England.southeast-performance@nhs.net

Your concern will be recorded and investigated.

If you contact a **Performance Advisory Group** member they will be obliged to report to the Group what you have told them. Your identity will remain confidential except to those who need to know in order to investigate your concerns fully. Although complainants who wish to remain anonymous will have their anonymity protected, such anonymity may be difficult to protect if an investigation is necessary.

For independent support you may contact **Public Concern at Work**:

Protect Advice Line: 0207 404 6609

Whistleblowing Advice Line: 0203 117 2520

Email: whistle@pcaw.org.uk or helpline@pcaw.org.uk

Public Concern at Work is a registered charity and advice centre, which specialises in providing free, independent and confidential advice to people who have issues of public concern.

Advice is also available on the **Practitioner Performer Advise Service**.

PPAS Advice line: 0207 811 2600

Email: advice@resolution.nhs.uk or see the website at

<https://resolution.nhs.uk/services/practitioner-performance-advice/>

Doctors and other healthcare professionals considering reporting concerns are reminded that the GMC, GDC, GPhC, GOC and the NMC require them to utilise local arrangements to report concerns regarding under-performance of colleagues.

Failure to act may be considered “serious professional misconduct”, which could put their own registration at risk.

Contact details for regulatory bodies:

General Medical Council 0161 923 6602 or gmc@gmc-uk.org

General Dental Council 0207 167 6000 or www.gdc-uk.org

General Optical Council 0207 580 3898 or goc@optical.org

General Pharmaceutical Council 0203 365 3400 or info@pharmacyregulation.org