

Annual Review 2005/2006

Overview of 2005-2006

With last year's annual review we published AvMA's first 'Prescription for Patient Safety and Justice' – the issues we had prioritised for addressing in the coming year. We thought we should use this opportunity to report back on progress on the issues we identified in our 'Prescription'. In the rest of the report you can read in more detail about AvMA's main activities in 2005-2006.

- 'Putting Patients at the centre of Patient Safety': we made a successful bid to the National Patient Safety Agency which has resulted in a contract to manage the 'Patients for Patient Safety' project starting April 2006.
- 'Openness and Honesty when things go wrong'. We helped develop and promote the NPSA guidance on 'Being Open' and continued to promote our 'Charter of Understanding between Health Professionals and People affected by Medical Accidents'.
- 'A genuinely fair NHS Redress Scheme': our work on the NHS Redress Bill is described further below and in the following pages.

Taken as a whole, the year was another successful one for the charity in spite of the challenges posed by under-funding and some turnover of staff. Add to this the challenge of implementing a new database; Governmental changes in policy; the introduction of new legislation such as the NHS Redress Bill and the Compensation Bill; and various consultations, all of which AvMA had to respond to, and it becomes clear how challenging a year it has been.

Probably the highlight of the year was the way AvMA was able to galvanise such widespread support for our call for improvements to the long-awaited NHS Redress Bill. 16 other charities/patients groups followed AvMA's lead on this and whilst our work on the Bill carried over into the next financial year, it was already clear by March 2006 that AvMA was having a significant influence over proposals for a Redress Scheme. This and some of the other key areas of work are described in more detail in the following pages.

We would like to take this opportunity to thank the staff, trustees and volunteers and all of you who have supported the work of AvMA and helped make it so successful.

Peter Walsh
Chief Executive

Alexandra R M Lewis
Chair of Trustees

Influencing Policy

NHS Redress Bill

AvMA, like most charities, accepts that however important and worthwhile our work in directly supporting our beneficiaries, we can benefit far more by achieving changes to the policies of the Government and its departments. Without doubt, the biggest priority for AvMA in this arena during the year was seeking improvements to the NHS Redress Bill. The Bill provides the statutory framework for the NHS Redress Scheme. Although the scheme will initially be limited to potential clinical negligence claims of up to £20,000, in England, the implications are huge. The proposed reforms were not as ambitious or fair as we would have liked, and we made it a priority to try to ensure that they did not do more harm than good.

AvMA has been at the very fore of seeking to influence policy leading up to the Bill and seeking improvements to it. We galvanised the support of no less than 16 other patient or consumer groups in calling for amendments to introduce independence; specialist representation for patients; and measures to ensure patient safety lessons are implemented. At the time of writing, we have reason to believe that we are having an influence. Opposition spokespeople have drawn exclusively on our briefing and the Government itself introduced amendments in the Lords which at least make it possible for the NHS Redress Scheme to guarantee some independence and specialist representation. 2006 will see intensive efforts on our part to make this a reality. This is a necessity as far as we see it, if the NHS Redress Scheme is to have any chance of enjoying public confidence.

Other Policy Responses

Our policy/influence work was not confined to the NHS Redress Bill however. In addition, we produced responses or briefings in connection with: the Compensation Bill; Health Select Committee inquiry into Independent Treatment Centres; the Donaldson and Foster reviews of health professional regulation; the GMC's review of 'Good Medical Practice'; the General Dental Council draft Fitness to Practice rules; the Healthcare Commission on patient and public involvement; the Community Legal Services Strategy; Healthcare Commission Complaints Investigation Indicators; Nursing & Midwifery Council policy on overseas trained midwives; GMC standards for maintenance and review of Registration; GMC on undergraduate education; GDC on principles of raising concerns; the Medical Act 1983; Healthcare Commission on assessment of independent sector; and the Department of Constitutional Affairs on part 36 of Council procedure rules.

AvMA also continued to play a pro-active role in influencing the policy agenda. AvMA made presentations at each of the main party political conferences and obtained national media coverage in the Press, radio and TV. In addition, AvMA works with bodies such as the Clinical Disputes Forum; Civil Justice Council and National Patient Safety Agency on an ongoing basis.

AvMA was pleased to be involved from the very inception for the new All Party Parliamentary Group on Patient Safety.

Advice, Information and Support

AvMA continued to provide invaluable independent advice, information and support directly to people who have been affected by medical accidents. Our Advice & Information Department provides four main areas of service:

- The medical accident helpline through which our advisers provide a sympathetic listening ear, advice on options and rights, and information on sources of practical and emotional support. In 2005-2006 we dealt with 2,051 helpline calls. During the year we were delighted our application to the Big Lottery Fund for funds to develop our helpline further was successful. By recruiting and training volunteers to provide first their advice we will be able to extend the hours of the helpline, which has been very busy.
- Written casework, where our medically and legally trained caseworkers provide more detailed analysis and advice on cases, often involving scrutiny of correspondence, reports and medical records and further research. In 2005-2006 we responded to 1,451 written casework enquiries. Where more specialist legal advice is needed we are able to refer clients to the most suitable specialist solicitor on our specialist clinical negligence panel.
- Self-Help information: our website www.avma.org.uk is increasingly used by members of the public who can download information sheets to help them make their own representations or complaints or seek the help of one of the solicitors on AvMA's specialist panel. In addition, we sent out 1,212 of our comprehensive information packs in response to enquiries in 2005-2006.
- Support: In 2005-2006 we introduced an online discussion forum on our website for people who have been affected by medical accidents. Many have found this a useful way of sharing experiences and views. We have also continued to maintain a 'Contacts Register' whereby people who have been affected by medical accidents can be put in contact with others for mutual support in dealing with the aftermath, and the various processes (complaints or litigation) which are very daunting when encountered for the first time. During the year we also worked on developing the 'Breakthrough' programme – the medical harm support workshops designed to help people come to terms with the emotional upheaval caused by medical accidents. The programme was set up by Josephine Ocloo in memory of her daughter Krista and has been supported by AvMA as part of its support services. We will be exploring with Josephine in the near future how this project can be further developed and funded.

During the year Paula Nolan left to take up a senior position in the NHS. We were very pleased to be able to recruit Tina Whitfield – a qualified nurse who has also been a Complaints Manager in an NHS Trust.

Promoting Good Practice

As well as accrediting solicitors for our specialist clinical negligence panel, AvMA plays an important role in directly supporting the work of solicitors. Members of AvMA's lawyers' service receive up-to-date legal and policy news, advice on cases as well as access to our comprehensive database of medical experts. Members also have access to a password protected dedicated lawyers section on the web-site. The web-site will be get a new-look in 2006-7. AvMA welcomed the influx of barristers joining the service this year. We look forward to developing even closer links with clinical negligence barristers in the forthcoming year. Increasingly, we also play a role in working with medical experts who undertake medico-legal reporting, actively recruiting suitable experts seeking to embark on this work. Our highly acclaimed medical expert database therefore continues to be updated and refined as well as rigorously monitored. AvMA is also developing training and support services for medical experts. AvMA continued to edit the informative *AvMA Journal* within *Clinical Risk* and plan to redesign the journal in consultation with the publishers, the Royal Society of Medicine. AvMA also continues risk assessing cases for insurers and was delighted to engage the additional services of clinical negligence solicitor, Sharon Yapp in the risk assessment department. We are delighted to have recruited an experienced specialist clinical negligence solicitor, Linda Lee (previously of Shoosmiths), as Lawyers' Service Manager from July 2006.

AvMA's medico-legal conferences have long been regarded as the best in the field and continue to flourish in spite of attempts at imitation and competition. The 2005 Annual Clinical Negligence Conference held in Cardiff was the 17th and arguably most successful yet. Attended by over 500 legal and medical experts and policymakers the conference was also notable for marking the expanding horizons of those traditionally involved in clinical negligence work. It is clear that the expert clinical negligence or medico-legal lawyer needs to understand a lot more than the 'Bolam test' and traditional civil litigation. The Human Rights Act and other areas of public law are also becoming a must. As well as the annual clinical negligence conference, we continued to deliver a range of top quality one-day events for clinical negligence specialists during the year. During the year we also continued to expand our conferences and events in areas other than the traditional medico-legal area. We held very successful events mainly for health provider staff and managers such as 'NHS Complaints to Redress' and a joint event with the General Dental Council on 'Ethical, Legal and Clinical Issues in Dentistry'. We plan to expand our events work promoting good practice in patient safety and dispute resolution, and the key ethical as well as legal issues in healthcare today. Conference Manager, Michelle Handscomb, left in 2006 to take up an exciting opportunity in the private sector, but we were fortunate to recruit Ed Maycock, an experienced conference professional as her successor.

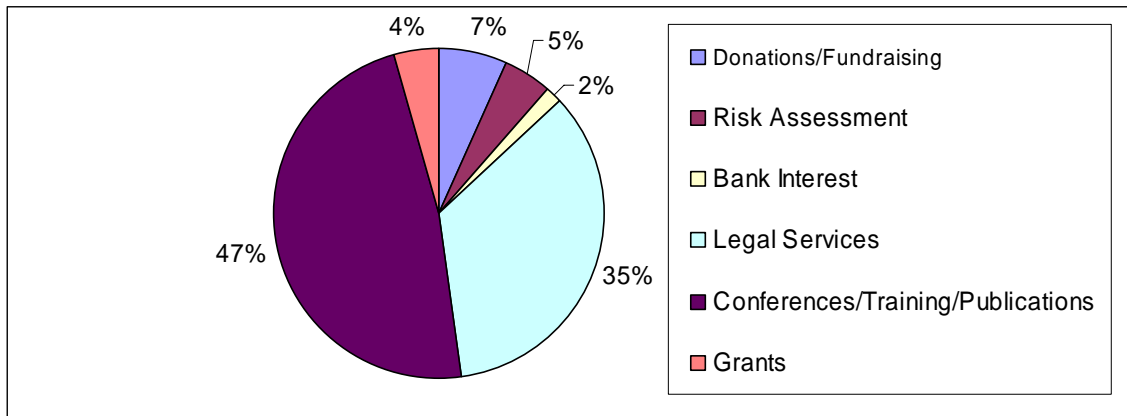
Finance

AvMA started the financial year with a budget projecting a potential deficit of some £200,000 which would have made a huge dent in our financial reserves. Thanks to a lot of hard work and some economies we have reduced this to around £65,000 in 2005-2006. However, we face another difficult financial year and it will need more hard work and the success of some of the initiatives we are working on to prevent further whittling away of our financial reserves. The changes to the Independent Complaints Advocacy Service (ICAS) have resulted in the loss of contracts AvMA had to support ICAS, from which it will take some time to recover. (Ironically, AvMA is still faced with having to 'pick up the pieces' for some clients whom ICAS has been unable to support satisfactorily, but without any funding!). Additionally, one of our largest areas of support, from clinical negligence solicitors, is facing a very hostile environment, and AvMA has to beat off competition from commercial companies and even personal injury lawyers in order to maintain our market share in areas such as conferences and training.

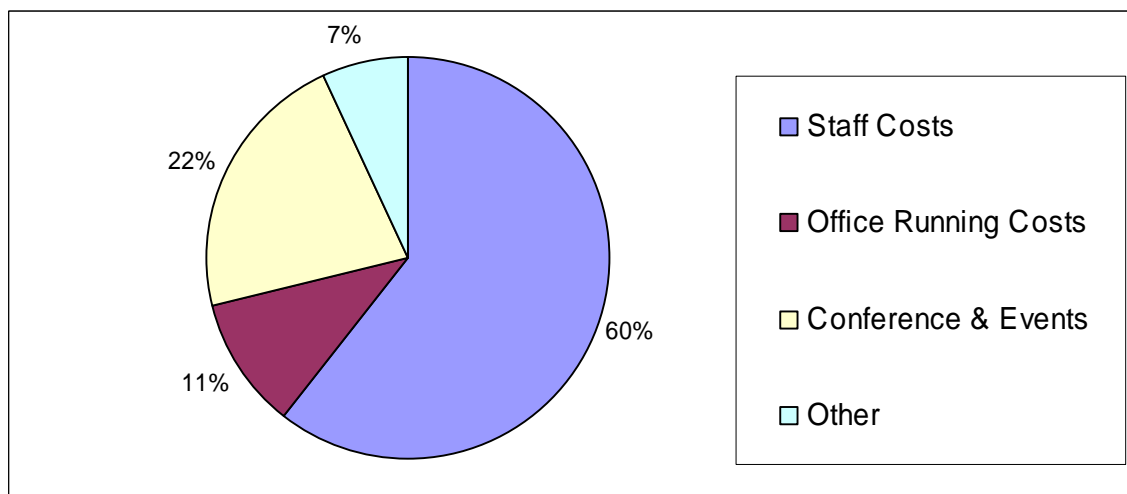
However, by the end of the year there was already signs that AvMA's financial strategy was beginning to work, with a grant for our helpline from the Big Lottery Fund and a contract from the National Patient Safety Agency to manage the 'Patients for Patient Safety' project.

PLEASE NOTE: the financial information here is a summary only. For a full understanding of the charity's finances refer to our Annual Report and Audited Accounts for 2005-2006.

Income



Expenditure



25th Anniversary Appeal

2007 will be the 25th anniversary of the formation of AvMA. We are planning to celebrate the charity's achievements but also to use the occasion to appeal for much needed funds to help us carry our work forward. Can you help? We have a host of ideas and can provide back-up to you in organising events or getting sponsorship for various activities. For further information or to send a donation, contact us at the following address –

Action against Medical Accidents
44 High Street
Croydon
CR0 1YB

Tel: 020 8688 9555 (administration only)

Client Helpline: 0845 123 23 52

Fax: 020 8667 9065

e-mail: admin@avma.org.uk