



PRESS RELEASE – 2nd April 2014

HEALTH PROFESSIONAL REGULATION PROPOSALS A "WASTED OPPORTUNITY"

The patient safety charity, Action against Medical Accidents (AvMA), has voiced serious concerns about the Law Commission report on Health and Social Care Professional Regulation and draft Bill published today. The charity says that key needs and priorities of patients, and the lessons from the Harold Shipman and Mid Staffordshire public inquiries, have been largely ignored. The overall regulator of the Health and Social Care professional regulators - the Professional Standards Authority - has also voiced strong concerns.

AvMA chief executive, Peter Walsh, said:

"Reform of health professional regulation is urgently needed and we have eagerly awaited this report and a new Bill. However, not only is this a missed opportunity but it could actually be a step backwards. The voice of patients and lessons from past scandals have so far been largely ignored as have some of the key themes from the Francis inquiry. We hope the Department of Health will radically change the proposals before publishing its own Bill".

Amongst the controversial aspects of the Bill are:

- imposition of a "five year rule" which will make it much more difficult for allegations dating back five years or more to be investigated and could lead to dangerous health professionals slipping through the net
- there is little or nothing in the Bill to empower patients/members of the public who wish to bring concerns about health professionals to the regulators. The lay majority on fitness to practise panels would be removed. There is no ability for faulty decisions by regulators not to investigate concerns to be challenged. Again, this makes it more likely that dangerous health professionals could slip through the net
- increased power for regulators to hold meetings in secret and not share information with the complainant, which is at odds with the current emphasis on more transparency post Francis
- a heightening of the threshold for professional misconduct to "disgraceful misconduct" which make it harder to hold professionals to account

- a weakening of the Professional Standard Authority power to challenge "undue leniency" by regulators, which has been an important safeguard in the system.
- wide powers for every regulator to set its own rules and procedures which would lead to even greater inconsistency.

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