

**February 2014**

## **WELCOME TO OUR LATEST UPDATE ON ISSUES CONCERNING PATIENT SAFETY AND JUSTICE**

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### **DUTY OF CANDOUR: ONE LAST PUSH FOR A PROPER DUTY**

Within the next few weeks the Secretary of State for Health will decide whether to introduce a full statutory Duty of Candour which would be the biggest advance in patient safety and patients' rights ever, or to run the risk of making things worse by restricting the duty only to cases of known death or severe permanent disability. The original plan was to restrict the duty but Mr Hunt agreed to think again following an intervention by AvMA. He has commissioned an independent review to inform his decision. Please write to the review team as soon as possible and by end of February at the latest if you agree that the Duty of Candour must include any significant harm. Write to the review team at: [candourthresholdreview@dh.gsi.gov.uk](mailto:candourthresholdreview@dh.gsi.gov.uk) Click [here](#) to see AvMA's briefing on this.

### **PATIENTS IN SOUTH WALES DEMAND ACTION OVER NEGLECT AND DISHONESTY**

AvMA is supporting over a hundred families in South Wales who have grave concerns about safety and the management of hospitals run by Abertawe Bro Morgannwg Health Board. There is mounting pressure on Health Minister, Mark Drakeford, to launch a full inquiry and take special measures. Over a hundred people attended a public meeting arranged by AvMA in Bridgend on 30th January. Read our [summary of the meeting](#).

### **GOVERNMENT RESPONSE TO COSMETIC TREATMENT REPORT "TOO LITTLE, TOO LATE"**

The [Government's response](#) to Sir Bruce Keogh's recommendations for overhauling the cosmetic treatment industry is welcome as far as it goes, but overall is "too little, too late". We have had to advise and support people who have been harmed by sub-standard cosmetic treatment, and submitted evidence to Sir Bruce's review.

Whilst the Government has accepted the vast majority of Sir Bruce's report "in principle", it has not committed to full regulation of the industry or ensuring appropriate avenues for redress for patients who have been harmed. For full Press Release click [here](#)

### **REPORT FINDS CQC 'BLIND SPOT' RE: PATIENT SAFETY ALERTS**

A new report by AvMA [Implementation, Monitoring and Regulation of Patient Safety Alerts](#) has found that Care Quality Commission is failing to take any action over NHS trusts who fail to implement patient safety alerts. Although overall compliance with alerts has improved dramatically since the charity started publishing reports on this, information obtained under the Freedom of Information Act established that even the trust with the worst record - Southend University Hospital NHS Foundation Trust - had not received a single warning from the CQC or any other body over its non-compliance. Southend had failed to comply with a total of 7 alerts as at the end of January 2014. Two of these alerts were five years past the deadline for completion, and a further two were over three years past the deadline. Despite this the trust board had not even discussed its non-compliance with alerts and on its website, the CQC gives a complete bill of health to the trust. For full Press Release click [here](#)

### **HEALTH SELECT COMMITTEE REVIEW COMPLAINTS (AGAIN!)**

The Health Select Committee are yet again considering how NHS complaints can be improved. [The Committee is inviting written evidence by 7th March](#). In its first hearing

Robert Francis QC expressed concern that there is too much talking and not enough action following the Mid Staffordshire report and the Clwyd/Hart Review. AvMA agree. We are yet to see a definite plan of action leave alone changes. For details of AvMA's conference on complaints on 20th March click [here](#)

### **CQC IMPROVEMENTS PRAISED BY HEALTH COMMITTEE**

The Health Select Committee was pleased with the changes to the Care Quality Commission (CQC) at its [annual accountability hearing](#). AvMA agree. We have seen a dramatic change in the culture and approach of the CQC since its new leadership arrived. They are even able to accept and deal with constructive criticism, such as our report on patient safety alerts (see above).

### **CONSULTATION ON NEW CQC REGULATIONS**

The Department of Health is consulting on the statutory regulations which will create the new "Fundamental Standards" which will be regulated by CQC - one of the key recommendations from the Francis report. The consultation closes on 4th April 2014. Click [here](#) for details of the consultation. AvMA broadly supports the proposals but is asking for clearer powers for the CQC to take regulatory action over failure to implement patient safety alerts or failure to support and protect whistleblowers.

### **NMC CONSULTATION ON REVALIDATION AND REVISED CODE**

The Nursing & Midwifery Council (NMC) are currently consulting on their [plans to introduce revalidation and changes to their prescribed code](#). Deadline for first part 31st March.

### **KEOGH COMMISSIONS INDEPENDENT REVIEW INTO BRISTOL CHILDREN'S HOSPITAL**

AvMA is pleased to report that after meeting bereaved parents, Sir Bruce Keogh, the Medical Director of NHS England, has ordered an independent review of care at Bristol Royal Hospital for Children. This comes after a string of unexpected deaths and criticism of care at the hospital by the coroner and CQC. Click [here](#) to read Sky news item. The review is to be chaired by Sir Ian Kennedy, who chaired the original public inquiry into Bristol.

### **"NHS COMPLAINTS POST FRANCIS & CLWYD/HART": AvMA CONFERENCE, 20th MARCH, LONDON**

Click [here](#) for further details of this conference. Speakers include the Parliamentary & Health Service Ombudsman, Dame Julie Mellor, Peter Walsh and representatives of the Department of Health; CQC; Healthwatch England and NHS England.

### **AvMA IN THE NEWS:**

02.12.13: Law Society Gazette: (Lisa) Changes to clinical negligence funding:

<http://www.lawgazette.co.uk/practice/kazakhstan-is-attracting-investors-but-its-legal-system-is-still-developing/practice/medical-negligence-lawyers-face-gloomy-prognosis/5039011.article>

13.12.13: Health Service journal re Duty of Candour <http://www.hsj.co.uk/comment/the-duty-of-candour-is-a-giant-leap-in-patients-rights/5066378.article#.UrQ0vsuYZjU>

19.12. 23: Health Service journal re CQC & Duty of Candour:

<http://www.hsj.co.uk/news/cqc-chief-executive-backs-wider-duty-of-candour/5066602.article#.UrQ038uYZjX>

09.01.14: Channel 4 News RE: Alder Hey: <http://www.channel4.com/news/catch-up/>

10.01.14: ITV News RE: Alder Hey: <http://www.itv.com/news/update/2014-01-10/green-shoots-of-change-in-way-nhs-deals-with-scandal/>

10.01.14: BBC Radio Liverpool RE: Alder Hey

10.01.14: HSJ: re Duty of Candour/CQC support

13.01.14 BBC news Wales: Abertawe inquiry: <http://www.bbc.co.uk/news/uk-wales-south-east-wales-25720225>

13.01.14 ITV News Wales: Abertawe inquiry:

<http://www.itv.com/news/wales/update/2014-01-13/grieving-family-criticise-independent-review/> <http://www.itv.com/news/wales/update/2014-01-13/health-charity-calls-for-robust-inquiry-into-patient-safety/>

21.01.14: The Times: Kettering Hospital SUI report suppressed

24.01.13: BBC News Channel: PAC report on gagging clauses

24.01.14: BBC local radio: Bristol Children's Hospital/Turner inquest

26.01.14: Sunday Express: Abertawe/ Princess of Wales hosp Bridgend:

<http://www.express.co.uk/news/uk/456098/Scandal-rocks-NHS-again-as-nurses-held-in-hospital-death-probe>

26.01.14: Mail Online: Abertawe/Princess of Wales Hospital Bridgend

12.02.14: BBC Radio Belfast: Belfast A&E deaths

13.02.14: The Guardian online: Govt response re Cosmetic Treatment review:

<http://www.theguardian.com/lifeandstyle/2014/feb/13/cosmetic-plastic-surgery-appalling-regulation-keogh-report>

14.02.14: The Daily Telegraph; Govt response re Cosmetic Treatment review:

<http://www.telegraph.co.uk/health/healthnews/10636904/Cosmetic-cowboys-can-carry-on-regardless-experts-say.html>

14.02.14: Daily Mail: Govt response re Cosmetic Treatment review:

<http://www.dailymail.co.uk/news/article-2558302/Tougher-regulations-mean-anti-ageing-beauty-jabs-prescribed-doctors.html>

#### **HELP AvMA IMPROVE PATIENT SAFETY AND JUSTICE!**

AvMA receives no State funding and relies on fundraising to continue its work. Visit our [Support Us page](#) for ways you can help.

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#### **FORTHCOMING EVENTS:**

For information on all our events visit the [events](#) page of our website or e-mail [conferences@avma.org.uk](mailto:conferences@avma.org.uk)