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General  
Medical  
Council

# Parliament Now

Regulating doctors  
Ensuring good medical practice

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## GMC in Parliament

### *Parliamentarians discuss Tomorrow's Doctors*

MPs and peers met at a GMC organised event to discuss the revised draft version of the GMC's *Tomorrow's Doctors* guidance on 24 March 2009.

The event was chaired by GMC Council Member Lord Kirkwood of Kirkhope and opened with comments from three speakers: Professor Jim McKillop, GMC Council Member and Chair of the Undergraduate Board; Dr Johann Malawana, GMC Council Member and Deputy Chair of the BMA's Junior Doctors Committee; and Elaine Brock, a public representative who worked with the GMC on the *Tomorrow's Doctors* review. MPs and peers then shared their thoughts on the revised guidance during a wide ranging discussion.

### *Parliamentary question on Gosport Hospital inquiry*

Sir Peter Viggers MP (Conservative, Gosport) asked if Professor Richard Baker's report into events at Gosport War Memorial Hospital, including the suspicious deaths of 10 elderly patients, will be published. In her reply on 23 March 2009 Health Minister Ann Keen that the report will be published, although the timing is subject to a number of conditions including a decision from the GMC on any necessary action.

### *Health Select Committee discusses Tomorrow's Doctors*

As part of their inquiry into patient safety, members of the Health Select Committee heard evidence from Parliamentary Under-Secretaries of State for Health, Lord Darzi and Ann Keen MP and Sir Liam Donaldson, CMO. During the evidence session on 19 March 2009, Ann Keen referred to *Tomorrow's Doctors* and commented that she wants to see communication skills embedded across all aspects of training for healthcare professionals.

### *MP calls for statement on Dr Iwegbu*

Mike Penning MP, Shadow Minister for Health, asked on 19 March 2009 if the Secretary of State for Health would make a statement on Dr

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Iwegbu, who works for the Royal London Hospital Trust, and whether or not he is a professor following the leak of an internal email from the Trust. Dr Iwegbu is currently subject to six interim orders from the GMC.

*Adjournment debate on the case of Dr Adrian Garfoot*

A short adjournment debate was held in the House of Commons on Monday 16 March 2009 on the case of Dr Adrian Garfoot who was erased in 2001. During the debate Henry Bellingham MP, Conservative Shadow Minister for Justice and constituency MP for Dr Garfoot, criticised some aspects of the GMC's fitness to practise procedures including the maximum erasure period and the criteria for reinstatement to the register. Health Minister Ben Bradshaw MP responded to a number of these criticisms.

*Sir Michael Pitt appears before Communities and Local Government Committee*

Sir Michael Pitt, Chair of the UK Revalidation Programme Board established by the GMC, appeared before the House of Commons Communities and Local Government Committee on 16 March 2009. Sir Michael, who is the Government's preferred candidate for Chair of the Infrastructure Planning Commission, was asked about his current work and described his role on the revalidation board.

Following the scrutiny process, the Committee endorsed Sir Michael's appointment and published a formal report on 23 March 2009 outlining their decision, including a transcript of the evidence session.

*Westminster Hall debate on West Sussex primary care review*

Sir Graeme's role as chair of an independent review of West Sussex Primary Care Trust was discussed during a House of Commons adjournment debate on the review on 13 March 2009.

**Regulation and health service reform**

*Department of Health sets out measures to improve regulation*

The Department of Health published details of its next steps to improve the regulation and governance of healthcare professionals on 20 March 2009.

*Tackling Concerns Nationally* makes recommendations on professional regulation and assuring patient safety at a national level and sets out recommendations for the establishment of the Office of the Health Professions Adjudicator (OHPA). It also considers the process of transition to OHPA of adjudication cases from the GMC.

The Department of Health also launched a consultation on 20 March 2009 which sets out proposals for the principles and governance of OHPA including the composition of OHPA's board. This consultation closes on 19 June 2009.

*Tackling Concerns Locally* outlines recommendations and principles of best practice designed to strengthen local NHS arrangements for identifying poor performance among healthcare workers and taking effective action.

#### *Annual Report for 2008 from the CMO (England)*

Sir Liam Donaldson, the Chief Medical Officer (England), published his annual report *On the state of public health 2008* on 16 March 2009. The report covered several topics of interest to the GMC including:

- Achieving racial equality in medicine.
- Training healthcare professionals in the treatment of chronic pain.
- The use of simulation based training to improve skills and strengthen team working.

#### *Healthcare Commission review of regulation 2004-2009*

The Healthcare Commission published *Regulating healthcare – experiences and lessons* on 19 March 2009. This report considers how independent regulation in England and Wales has contributed to better outcomes and quality of care since 2004, as well as highlighting lessons for both regulation and the healthcare system as a whole.

#### *Conservatives set out approach to regulation*

In a joint conference with the Centre for Policy Studies on 24 March 2009, Conservative leader David Cameron MP discussed the party's approach to financial regulation. Mr Cameron said that regulation is not a matter of 'light' or 'heavy' regulation but it is about 'right' or 'wrong' regulation, with 'right' regulation being a combination of professional judgement and what works in practice, which must be appropriate to each situation.

*Parliament debates Stafford Hospital*

Health Secretary Alan Johnson MP made a statement to the House of Commons on 18 March 2009 on the findings of an inquiry by the Healthcare Commission into the failings of emergency care at Stafford Hospital.

Both the Conservative and Liberal Democrat parties have called for a full independent inquiry into these failings.

*Structural Changes in Northern Ireland Health and Social Care*

Following the Health and Social Care (Reform) Act 2009 being approved by the Assembly, major changes in the NI Health and Social Care structures will take effect on 1 April 2009.

One Regional Health and Social Care Board, responsible for primary care and commissioning of services, will replace all four existing Health and Social Services Boards. A new statutory Patient Client Council will also commence operations, replacing all four current Health and Social Services Councils. A Regional Public Health Agency will also be established along with a Regional Business Services Organisation for the Health and Social Care system in Northern Ireland.

*Scottish Parliament Health Committee consider approach to EU Directive*

The Scottish Parliament's Health Committee discussed the EU Proposed Directive on Cross-Border Healthcare on 11 March 2009. The Committee has taken a keen interest in the issue since it transpired that the Scottish Government did not respond to the European Commission's consultation. The committee opted to ask the Scottish Government to inform the committee on the progress of the directive, and to contact the Commission following the European Parliament elections in June to ascertain what plans it has for the proposal at that point.

Committee member Helen Eadie MSP (Labour, Dunfermline East) has also had a Parliamentary Question on the financial implications of the proposed directive answered.

*Ombudsmen call for review of health and social care for people with learning disabilities*

The Health Service and Local Government Ombudsmen for England have called for an urgent review of health and social care for people with learning disabilities in their report *Six Lives*, published on 24 March 2009.

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## **Standards and ethics issues**

### *New Health and Social Care Complaints Procedures in Northern Ireland*

From 1 April 2009 a new streamlined complaints procedure will be introduced for health and social care services in Northern Ireland. The changes mean that patients will go direct to their GP practice or Health and Social Care Trust with complaints about healthcare professionals. Those unable to resolve their complaint within the health and social care system will now be able to go direct to the Northern Ireland Ombudsman, thus removing Independent Review stage which existed previously. The public and patients will be able to get free confidential advice and support on making complaints from the Patient Client Council.

### *Data sharing clause dropped from Coroners and Justice Bill*

During the remaining stages of the Coroners and Justice Bill on 24 March 2009, Parliamentary Under-Secretary of State for the Ministry of Justice, Bridget Prentice MP, confirmed that the clause to establish information sharing orders would be dropped from the Bill and stated that the government will undertake further consultation around this issue.

### *Guidance on Termination of Pregnancy published in Northern Ireland*

The Department of Health Social Services and Public Safety (DHSSPS) in Northern Ireland has published new Guidance on the Termination of Pregnancy: The Law and Clinical Practice in Northern Ireland.

These guidelines, published on 20 March 2009, do not change the law in Northern Ireland; abortion remains illegal except when the mother's life is at risk. However, it clarifies what is and is not permitted under the law and makes a number of references to GMC guidance including *Good Medical Practice*, *Personal Beliefs and Medical Practice* and *Consent: Patients and Doctors making decisions together*.

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*NMC launches guidance on the care of older people*

The Nursing and Midwifery Council (NMC) published Guidance for the care of older people on 17 March 2009, new guidance which will support nurses in delivering care for older people.

*House of Commons debates Private Members Bill on presumed consent*

MPs debated a Private Members Bill on presumed consent for organ donation on Friday 13 March 2009. The Bill, introduced by Jeremy Browne MP, Liberal Democrat Shadow Chief Secretary, attracted a range of comments from MPs but it will not now be debated until 19 June 2009 and is very unlikely to become law.

*Gil Paterson MSP sponsors proposal for Palliative Care (Scotland) Bill*

Gil Paterson MSP (SNP, West of Scotland) has taken on the sponsorship of the proposal for a Palliative Care (Scotland) Bill. The proposed bill would make high quality palliative care a legal right in Scotland. It was originally sponsored by Roseanna Cunningham MSP. Ms Cunningham can no longer sponsor a Private Member's Bill as she has been appointed Minister for the Environment.

**Appointments and announcements**

*NHS Quality Improvement Scotland appoints new Chief Executive*

Dr Frances Elliot, a former GP, was appointed as the new Chief Executive of NHS Quality Improvement Scotland on 26 March 2009. Dr Elliot is currently the Medical Director of NHS Fife and a part-time Senior Medical Officer with the Scottish Government. She also represents the Scottish Government on the GMC UK Revalidation Programme Board.

Dr Elliot has also worked closely with the GMC in her role as Chair of the Scottish Association of Medical Directors and replaces Dr David Steel OBE who steps down at the end of March. She begins her new post on 22 June 2009 and Ms Jan Warner will be the interim Chief Executive until then.

*Scottish Parliament appoints new Ombudsman*

The Scottish Parliament appointed Jim Martin as the new Scottish Public Services Ombudsman (SPSO) on 25 March 2009. Mr Martin replaces the first SPSO, Professor Alice Brown, who is leaving her post to pursue other activities. Mr Martin is currently the Police Complaints Commissioner for Scotland. Mr Martin is unlikely to take up his post for several months.

*New Chair for the Health Professions Council*

Anna Van der Gaag has been appointed as the Chair of the Health Professions Council on 20 March 2009, having previously been the President of the Council since July 2006.

*Lay and expert members appointed to National Quality Board*

Parliamentary Under-Secretary of State for Health, Lord Darzi, confirmed the appointment on 16 March 2009 of a number of lay and expert members to the new National Quality Board.

*GMC panellist to stand down as MP*

Humfrey Malins CBE, Conservative MP for Woking, GMC fitness to practise panellist and former GMC Council Member, has announced that he will stand down as an MP at the General Election.

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## Gosport War Memorial Hospital

**Sir Peter Viggers:** To ask the Secretary of State for Health if he will publish the report prepared by Professor Richard Baker on events at Gosport War Memorial Hospital. [264625]

**Ann Keen:** The report from Professor Baker is not yet in the public domain, and we have to balance the legitimate public interest in openness against the rights of individuals named within the report in respect of personal details relating to them. We consider that there is a legitimate public interest in protecting their rights, at the present time, for those facts not to be disclosed—or at least for them to have a full opportunity to read the report and make their own comments upon it. Performing that assessment and taking all the Freedom of Information and Data Protection Act issues into account, we have concluded that on balance we should not yet issue it.

However, recognising the public interest in this whole issue, we do intend, once the inquests are concluded and the General Medical Council have decided what their action will be, and subject to the appropriate individuals identified in the report's having had a chance to comment, to publish the Baker report, should publication still be relevant—that is to say, it may in the meantime become public knowledge from another official source, such as the proceedings of an inquest.

*Source:*

*[http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090323/text/90323w0034.htm#column\\_156W](http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090323/text/90323w0034.htm#column_156W)*