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FOR IMMEDIATE RELEASE

New government must address key concerns of healthcare professionals

As Jeremy Hunt is reappointed as Health Secretary, the Medical Protection Society (MPS) is urging the new administration to consider two key issues affecting healthcare professionals; the lack of a collaborative, open learning culture and the rising cost of clinical negligence claims.

In order to effectively address these concerns, MPS has a number of recommendations.

To create a collaborative, open learning culture MPS recommends:

- A moratorium on the introduction of new regulations on the healthcare profession
- Exploring and investing in alternatives to regulation

MPS would like the focus for the new government to be on removing the culture of fear in healthcare and creating a collaborative, open, learning environment where healthcare professionals are encouraged to want to be accountable.

While safeguarding the public must be a priority, regulation is not always the best way of achieving this and could lead to healthcare professionals practising defensively, taking the focus away from the best interests of the patient.

To tackle the rising cost of clinical negligence MPS recommends:

- Fixed costs for small value clinical negligence claims

MPS is concerned that legal costs can dwarf compensation payments, and we propose that a fixed costs regime for small value claims should be introduced to redress the balance.

In a recent case relating to delayed diagnosis of skin cancer, damages of £30,000 for the patient were agreed within five months yet legal costs were claimed to the sum of £60,000. These costs were eventually settled at £42,000.

Dr Rob Hendry, Medical Director at the Medical Protection Society said:

“Tough decisions about healthcare funding are made every day and the costs of clinical negligence should not be seen as separate or unconnected from this.

“Quite simply, more money being set aside to cover the cost of clinical negligence claims, particularly in the NHS, means that frontline services will have less funding available to them. Ultimately, the patient will suffer as a result.

“We need to have a debate about whether the cost of clinical negligence claims is affordable for society. Our analysis of claims shows that GPs are more likely to be sued now than ever before and it is not unusual for claimants’ lawyers’ costs to exceed the damages awarded to claimants in lower value clinical negligence claims.”²

Dr Hendry continued:

“Creating a culture of collaborative learning and openness will bring with it a willingness to apologise if something goes wrong. Mandating actions and threatening sanctions is unlikely to deliver sustainable cultural change.

“It is imperative the government empowers and supports healthcare professionals to do what they entered healthcare to do – care for patients.”

MPS is calling for the culture in the NHS and the cost of clinical negligence to be addressed as part of its ‘Priorities for the next government 2015 – 2020’.

Ends

For further information or to arrange an interview please contact Rajiv Pattni, Press Officer at MPS on +44 (0) 207 399 1409 or Rajiv.Pattni@medicalprotection.org

Notes to editors

1. Please find attached MPS’s ‘Priorities for the next government – 2015-2020
2. An MPS survey of 600 GP members earlier this year revealed that 67% of respondents were fearful of being sued by patients

About MPS

MPS is the world’s leading protection organisation for doctors, dentists and healthcare professionals. We protect and support the professional interests of more than 290,000 members around the world. Our benefits include access to indemnity, expert advice and peace of mind. Highly qualified advisers are on hand to talk through a question or concern at any time.

Our in-house experts assist with the wide range of legal and ethical problems that arise from professional practice. This includes clinical negligence claims, complaints, medical and dental council inquiries, legal and ethical dilemmas, disciplinary procedures, inquests and fatal accident inquiries.

Our philosophy is to support safe practice in medicine and dentistry by helping to avert problems in the first place. We do this by promoting risk management through our workshops, E-learning, clinical risk assessments, publications, conferences, lectures and presentations.

MPS is not an insurance company. All the benefits of membership of MPS are discretionary as set out in the Memorandum and Articles of Association.