



Healthcare Professional Regulation: public consultation on proposals for change

Good doctors, safer patients

and

The regulation of the non-medical healthcare professions

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For Recipient's Use	

Healthcare Professional Regulation: public consultation on proposals for change

Good doctors, safer patients and The regulation of the non-medical healthcare professions

The Department of Health has today published *Good doctors, safer patients*, the report of the Chief Medical Officer for England's review of the arrangements in place for medical regulation. At the same time, the Department of Health has made public the report of a parallel departmental review of arrangements for the regulation of other healthcare professionals.

Background

Dr Harold Shipman killed about 250 of his patients between 1972 and 1998. Dame Janet Smith chaired the Shipman Inquiry, an extremely comprehensive and detailed independent inquiry into Shipman's murders and their background. In her fifth report, Dame Janet raised numerous concerns about the structure and function of the General Medical Council, as the statutory regulator of doctors in the United Kingdom. In particular, she criticised its proposals for a system of 'revalidation', whereby doctors would have to demonstrate intermittently that they remained fit to practise. In Dame Janet's view, these proposals were inadequate.

Ministers asked Sir Liam Donaldson, Chief Medical Officer, to review the arrangements in place to protect patients from harm caused by the poor performance of doctors. At the same time, the General Medical Council's plans for revalidation were placed on hold.

Dr Reid, then Secretary of State for Health, also announced a parallel departmental review to examine arrangements in place for the regulation of other healthcare professionals. This review was led by Andrew Foster, the former Director General of Workforce at the Department of Health, supported by an advisory group. The aim of

undertaking these two reviews at the same time was to ensure the development of a coherent approach to regulation across all health professions, without diluting the tight focus necessary to address the specific deficiencies in the arrangements in place for doctors, identified by the Shipman Inquiry.

Status of the reports

Good doctors, safer patients is a report submitted to Ministers, for publication, by Sir Liam Donaldson in his independent capacity as Chief Medical Officer for England and chief medical advisor to the United Kingdom Government. It does not necessarily represent current government policy.

The report arising from the review of non-medical regulation is a Department of Health report but is intended and phrased as a consultation document, outlining a number of options.

Content of the reports

Good doctors, safer patients is a rigorous and thorough report. It examines the history and context of medical regulation, draws lessons from other high-risk industries and jurisdictions, and takes account of public and professional views before arriving at a series of 44 recommendations, each presented with a detailed rationale. The parallel review of non-medical regulation followed a similar process.

There are a number of common themes running through the two reports, including:

1. Changes to the governance and accountability of regulators.
2. The importance of defined operationalised standards against which to regulate.
3. The appropriate standard of proof.
4. Proposals for a 'spectrum of revalidation' across all healthcare professions.
5. Devolution of some regulatory activity to a local level.

In addition, there are a number of other important themes emphasised within one or other of the reports:

6. The number of regulators for the non-medical professions.
7. The requirement to record post-registration qualifications.
8. The role of regulation for student healthcare professionals.
9. The need for standardised pre-employment English language testing.
10. Extending the scope of regulation to include healthcare support workers and new roles in healthcare.
11. The importance, or otherwise, of a lay majority on the governing bodies of the various regulators.

Consultation

The Department of Health recognises that medical and non-medical regulation are complex areas. Following the publication of *Good doctors, safer patients* and the parallel review of non-medical regulation, the Department of Health now seeks the views of stakeholders as to the content of the reports and the associated Regulatory Impact Assessment documents.

Stakeholders are asked to address the following three overarching questions:

1. Do stakeholders support the principles upon which *Good doctors, safer patients* is based?
2. Do stakeholders support the approach advocated in the two reports?
3. What are the priorities for stakeholders in terms of implementation?

In addition, stakeholders are asked to consider the 11 themes identified above.

Stakeholders are invited to respond to these three questions and to address the 11 themes described above, or to comment on the merits of specific recommendations (within each theme) made by the Chief Medical Officer in *Good doctors, safer patients*, or in the parallel review of non-medical regulation.

The Secretary of State for Health is consulting on a UK-wide basis. However, you may wish to copy comments to the health departments of the Devolved Administrations which have been asked to provide advice and comments to the Secretary of State to the same timescale as that of the consultation.

The closing date for responses to this extended consultation is Friday 10 November 2006. This document is available on the Department of Health website at www.dh.gov.uk/liveconsultations

You can respond via the website
or
in writing to:

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Quarry Hill
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or by email to:

HRDlistening@dh.gsi.gov.uk

The information you send us may need to be passed on to colleagues within the UK health departments and/or published in a summary of responses to this consultation. We will assume that you are content for us to do so unless you specifically include a request to the contrary in the main body of your reply. If you are replying by email, your consent overrides any confidentiality disclaimer that is generated by your organisation's IT systems.

This consultation complies with the Cabinet Office's code of practice for written consultations.

The six main criteria of this code are as stated below:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the time-scale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation coordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

As part of the consultation process, respondents are invited to comment on the extent to which this consultation follows the core criteria above. Should you have any comments or complaints to this end, please contact the Department of Health's Consultation Coordinator:

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Please do not send consultation responses to this address



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