

New guidance prevents doctors being 'gagged' and says they must raise concerns about patient safety

Press Release

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New guidance from the General Medical Council will prevent doctors entering into contracts or agreements that seek to stop them raising concerns about poor quality care.

Our new guidance also makes clear that doctors must not sign contracts that attempt to prevent them from raising concerns with professional regulators...nor must doctors in management roles promote such contracts or encourage other doctors to sign them.

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Niall Dickson, Chief Executive of the General Medical Council said:

'These clauses are totally unacceptable. Doctors who sign such contracts are breaking their professional obligations and are putting patients, and their careers, at risk.'

The new guidance *Raising and acting on concerns about patient safety* also makes clear that doctors have a duty to act when they believe patient safety is at risk, or when a patient's care or dignity is being compromised. The guidance explains when doctors need to raise concerns and advises on the help and support available to them, including how to tackle any barriers that they may face.

Doctors also have responsibility for the safety and wellbeing of patients when performing non-clinical duties – including when they are working as a manager. New guidance *Leadership and management for all doctors* is also being issued today aimed at helping doctors understand their responsibilities in relation to employment issues, teaching and training, as well as planning, using and managing resources.

The two documents will be sent to all 240,000 doctors on the medical register and the new guidance comes into effect on 12 March 2012.

The GMC's new Liaison Service, which strengthens the regulator's local presence, will use the guidance and work with Medical Directors, doctors and patients groups to help foster openness and a willingness to speak out throughout the health service. Doctors must feel supported in promoting good practice, taking a leading role in acting quickly if they have concerns about patient care.

Niall Dickson went on to say:

'Being a good doctor involves more than simply being a good clinician. It means being committed to improving the quality of services and being willing to speak up when things are not right – that is not always easy but it is at the heart of medical professionalism. Healthcare today is seldom an isolated affair and using the eyes and ears of health professionals can be the most effective way of protecting patients and ensuring high quality care.'

'Our new guidance also makes clear that doctors must not sign contracts that attempt to prevent them from raising concerns with professional regulators such as the GMC and systems regulators, such as the CQC. Nor must doctors in management roles promote such contracts or encourage other doctors to sign them. Those who promote or sign such agreements are breaking their professional obligations and putting their careers at risk.'