Royal College of General Practitioners

The Royal College of General Practitioners (RCGP) is the academic organisation in the UK for general practitioners. Its aim is to encourage and maintain the highest standards of general medical practice and act as the ‘voice’ of general practitioners on education, training and issues around standards of care for patients.

The College in Scotland came into existence in 1953 (one year after the UK College), when a Scottish Council was created to take forward the College’s interests within the Scottish Health Service. We currently represent over 5100 GP members and Associates in Training throughout Scotland. In addition to a base in Edinburgh, the College in Scotland is represented through five regional faculty offices in Edinburgh, Aberdeen, Inverness, Dundee and Glasgow.

NVPs and smoking in hospital grounds

1. Do you support the Bill’s provisions in relation to NVPs?

Yes

2. Do you support the proposal to ban smoking in hospital grounds?

Yes. On the basis of solid evidence, RCGP Scotland fully supports tobacco control measures to minimise risk from tobacco related illness.

3. Is there anything you would add/remove/change in the Bill with regards to NVPs or smoking in hospital grounds?

No amendments suggested

Duty of candour and willful neglect

1. Do you support the proposed duty of candour?

RCGP have always promoted honesty and trust as fundamental in the relationships GPs have with their patients. These professional and ethical values wholly support the principles for duty of candour which RCGP Scotland advocates as the professional duty of our GP members. Whilst we would agree with the rationale for making this a statutory requirement, evidence indicates that to achieve this effectively requires a supportive and not punitive approach which we would propose is more achievable by progressing this through our own governing body and therefore RCGP Scotland views the proposed legislative change outlined within the terms of this Bill with some caution.

2. Do you support the proposal to make willful neglect or ill-treatment of patients a criminal offence?
The principle of protecting all patients from intentional harm is already explicit within the strict regulatory framework for all Doctors as laid down by the GMC and by our current legal system and RCGP Scotland unreservedly supports that sufficient measures are in place to ensure the protection of our patients. However, we are not aware of any evidence that existing measures are inadequate and we have concern that the lack of specificity of the broad definitions for the legislation set out in the terms of this Bill will potentially put GPs, their health care staff and other health care workers at risk of misinterpretation of intent and lack of appropriate consideration of the circumstances and context in which there has been a judgment of neglect. We anticipate that any lack of confidence in the system could create a potentially threatening working environment and unnecessary fear of recrimination, adversely affect a climate of openness and transparency and generate a worsening ‘blame’ culture with unintended consequences for patient safety caused by the negative effect on learning from adverse events. These unintended consequences are also in direct conflict with creating a culture which supports duty of candour.

3. Is there anything you would add/remove/change in the Bill with regards to these provisions?

RCGP Scotland proposes that the terms of this Bill require much more clarity in the definition of wilful neglect, also taking account of the wider context in which this may have occurred when providing care to patients, and this needs to be explicit in future legislation to ensure there is a confidence amongst health care workers that the legal interpretation that an offence may have been committed is consistent, fair and appropriate in the circumstances of the alleged offence.

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