

SHEFFIELD LOCAL MEDICAL COMMITTEE

NEWSLETTER

MAY 2009

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LMC NEWSFLASHES:

SWINE FLU & PREPARING FOR PANDEMIC INFLUENZA

Since the last LMC Newsletter, all represented GPs and Practice Managers should have received two LMC Newsflashes as follows:

- Swine Flu: Essential Information for GPs
- Preparing for Pandemic Influenza: Guidance for Sheffield GPs

Further copies of the Newsflashes can be downloaded from the LMC website at:

<http://www.sheffield-lmc.org.uk/newsflash.htm>

COMMUNICATIONS WITH PRACTICES: EMAIL FACTSHEETS

Following concerns being raised with the LMC regarding the vast number of emails practices receive from a

variety of organisations, several pieces of work have been undertaken, either by NHS Sheffield, or jointly between the LMC and NHS Sheffield, in order to help to ease this incoming workload.

Practices will already be aware of the Gateway process which was implemented by NHS Sheffield and which continues to be reviewed and modified. In addition, NHS Sheffield is currently finalising arrangements necessary to distribute weekly bulletins to practices, in an attempt to streamline the number of non urgent communications to practices. The LMC is keen to see this service implemented and would urge those practices that have not yet supplied the Primary Care Admin Team at NHS Sheffield with their preferred contact details, to do so at their earliest convenience.

During the LMC's negotiations with NHS Sheffield, it has become apparent that not all practices are aware that they can:

- create additional mail folders;

- set up rules to automatically receive mail in different folders;
- save draft messages;
- create out of office messages.

A series of factsheets have been made available on the NHS Sheffield intranet explaining all of these features which, it is hoped, will assist practices in their receipt, retrieval and actioning of messages. The factsheets can be accessed via: <http://nww.sheffield.nhs.uk/informati cstrainingresources/index.php>

If practices continue to have issues with communications they receive from NHS Sheffield, the LMC would be happy to receive specific examples via email to:

manager@sheffieldlmc.org.uk.

COMPLAINTS HANDLING: CHANGES TO THE LAW

The GPC has recently produced guidance *New Complaints Procedure FAQs*, which provides information on the new complaints procedure and

its implications for GPs and practices. The key topics covered include:

- What are the main differences between the new and old procedures?
- Who can complain?
- What happens with complaints made by or on behalf of a child?
- What happens when a complaint is made directly to a PCT?
- What happens when the complaint involves a locum GP?
- Does the complaints procedure have disciplinary or legal repercussions?
- What is the definition of a complaint?
- What do we have to do immediately?

A copy of the guidance can be downloaded from:

- The GPC website at: http://www.bma.org.uk/images/complaintfaqs_tcm41-185404.pdf
- The LMC website at: http://www.sheffield-lmc.org.uk/OG09/Complaints_Procedure_April09.pdf

In addition, Deborah Hopkinson, Complaints Officer at NHS Sheffield has offered the following update:

The new Regulations provide complainants with a choice of either approaching the practice or the PCT. Complainants cannot approach both bodies. Complainants must be given the opportunity of discussing their complaint in person with those who are dealing with their complaint. If the complainant remains dissatisfied with the response they then have the right to contact the Parliamentary Health Service Ombudsman. The Department of Health expect NHS organisations and their providers to “get it once and get it right.”

The new Regulations also stipulate that practices must provide complaints annual reports to the PCT.

Practices are encouraged to review their complaints policies and practice complaints leaflets to reflect the changes and to contact the Complaints Officer, Deborah Hopkinson on telephone (0114) 3051093 if they require clarification or help with complaints matters.

Please could you note that patients and their carers can contact a Patient and Liaison Service (PALS) free phone number at the PCT to discuss their concerns. The PALS will aim to deal with callers and resolve issues on the spot and will only pass callers on to the Complaints Team if it is clear that the caller wishes to raise a formal complaint. The PALS telephone number is 0800 085 7539. Could you please include the PALS contact number when revising your practice complaint information.

If you wish to participate in complaint handling awareness training, the PCT will be pleased to arrange suitable sessions at a time to suit the practice during the day or early evening. If you are interested please telephone (0114) 305 1093 and leave a message on the answerphone or email complaints@sheffieldpct.nhs.uk.

As noted in the April 2009 edition of the LMC newsletter, the LMC would encourage practices to make the PCT aware of any compliments that they receive.

PRE-EMPLOYMENT CHECKS ON DOCTORS – LMC GUIDANCE

An updated version of the above guidance is now available via the LMC website at:

http://www.sheffield-lmc.org.uk/lmc%20guidance/Pre-employment_checks_on_doctors_May09.pdf

FOSTER PARENT MEDICAL REPORTS/EXAMINATIONS

The LMC has received a number of concerns from GP practices and Sheffield Family Placement Services regarding GP input into the fostering process.

The main concerns from practices relate to general confusion about the process, the reasons for and frequency of medical examinations, the timescales for completion and the fees that are payable.

The main issues for Sheffield Family Placement Services relate to the difficulties they encounter when an

applicant's GP refuses to participate in the process.

Whilst the LMC understands that this work is not part of the NHS and, therefore, GPs have no obligation to participate, if there are simple procedural or process issues that could be resolved to GPs' satisfaction, thus increasing participation, the LMC would be keen to work with practices and Sheffield Family Placement Services to achieve this.

The LMC has had recent talks with representatives from Sheffield Family Placement Services and will be producing guidance for GPs summarising the process, timings of medical examinations being required etc. In the meantime, it would be appreciated if practices could assist the LMC in their negotiations by forwarding any comments or suggestions that might increase engagement in the process to the LMC office via email to manager@sheffieldlmc.org.uk.

CHILD PROTECTION TOOL KIT

The BMA has recently produced a child protection tool kit. The aim of the tool kit is to provide a brief and accessible guide to doctors' responsibilities in child protection cases in England and Wales. It does not aim to be comprehensive, rather to act as a prompt for doctors where they believe that a child may be at risk of neglect or abuse.

Although all health professionals have a role to play in promoting the wellbeing of children, the focus of this tool kit is on safeguarding, particularly in relation to children who are at risk of significant harm.

The tool kit contains a series of separate cards that highlight different aspects of the child protection process such as:

- basic principles
- definitions of abuse and neglect
- responding to initial concerns
- participation in statutory child protection procedures.

A copy of the toolkit can be downloaded from:

- the BMA website at:
http://www.bma.org.uk/images/childprotectiontoolkitapril2009_tcm41-184943.pdf
- the LMC website at:
<http://www.sheffield-lmc.org.uk/OG09/Child Protection Tool Kit.pdf>

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SHEFFIELD HEALTH AND SOCIAL CARE TRUST: ACCESS TO MEDICAL RECORDS

The LMC office has been contacted by the Sheffield Health and Social Care Trust with regards to problems they have been experiencing in gaining medical information from practices when patients are admitted to their wards.

Having checked the available guidance, the LMC office feels that these requests are perfectly in line with standard healthcare requests, and should not be a problem. It is obviously in the best interest of the patient that the GP provides appropriate information which may influence their ongoing care.

Examples have been quoted to us of practices charging for photocopying of medical records in these situations. We do not feel that this is appropriate, as providing the information to another NHS body falls within the core contract, as much as when referring patients for a secondary care opinion.

We are currently seeking guidance as to the impact of the Deprivation of Liberty Safeguards legislation in respect of access to records. We will update practices in due course.

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ACCESS TO HEALTH RECORDS

The British Medical Association (BMA) Ethics Department has produced *Access to Health Records: Guidance for health professionals in the UK*. This clear, comprehensive guidance covers access to the records of living and deceased patients and deals, in detail, with issues such as:

- Competent Patients
- Children and Young People
- Parents

- Individuals on behalf of adults who lack capacity
- Next of Kin
- Police
- Solicitors

This guidance also gives helpful examples of frequently asked questions and key considerations on withholding information. A copy of the guidance can be downloaded from:

- The BMA website at:
http://www.bma.org.uk/images/acesstohealthrecordsdecember2008_tcm41-183583.pdf
- The LMC website at:
<http://www.sheffield-lmc.org.uk/OG09/Access to Health Records.pdf>

As a result of this guidance, the LMC's document *A Simple Guide to Access to Medical Records: The Data Protection Act 1998* (Revised April 2008) has been withdrawn.

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FREEDOM OF INFORMATION ACT 2000: FREQUENTLY ASKED QUESTIONS (FAQS)

The GPC has recently updated their Freedom of Information Act FAQs.

The key topics covered include:

- What is the Freedom of Information Act?
- What is the publication scheme?
- Who can request information?
- How should requests be made?
- What is the process if practices do not want to disclose information?
- What information can practices withhold?
- What is a vexatious or repeated request?
- What is the difference between disclosures under the Data Protection Act and the Freedom of Information Act?
- Do internal emails need to be disclosed under FOIA?
- Will practices be able to charge fees for access to information?

A copy of the FAQs can be downloaded from:

- the GPC website at:
http://www.bma.org.uk/images/freedomfaqs_tcm41-184636.pdf

- the LMC website at:
<http://www.sheffield-lmc.org.uk/OG09/Freedom of Information Act FAQs.pdf>

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LICENSING AND REVALIDATION OF GPs

The GMC is launching a campaign *Licensing: it's time to decide*. The GMC plans to introduce licensing in Autumn 2009. Doctors wishing to undertake any form of medical practice for which UK law currently requires GMC registration – such as writing prescriptions and signing death/cremation certificates – after licensing is introduced, will need to be both registered and hold a licence to practise.

The license to practise will be the first step towards the introduction of revalidation. The GMC will be writing to all registered doctors asking them to decide whether or not they want a license when licensing is introduced. More information about licensing and revalidation is available on the GMC's website at:

- <http://www.gmc-uk.org/doctors/licensing/index.asp>

The RCGP Guide to Revalidation of GPs was launched in April 2009. The guide gives detailed information on the processes and evidence that will be required in the introductory phase of revalidation, as well as the requirements on an ongoing basis and for GPs whose experience is not standard. A copy of the guide can be downloaded from the RCGP website at:

- http://www.rcgp.org.uk/PDF/PDS_Guide_to_Revalidation_for_GPs_April_2009_V1.0.pdf

It should be noted that a decision has not yet been made on a date for the introduction of revalidation or on the final form of revalidation. Therefore, the above document is still in the form of proposals. GPs will be updated as decisions are made. In the meantime, notifications on the activities of the UK Revalidation Programme Board can be found on the GMC website at:

- www.gmc-uk.org/doctors/licensing/revalidation_board/index.asp

In addition, information about revalidation can be found on the BMA website at:

www.bma.org.uk/employmentandcontracts/doctors_performance/professional_regulation/index.jsp

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**REPEAT REQUESTS FOR
PATIENT RECORDS**

It has been brought to the GPC's attention that there is a growing problem of patients (or their representatives) making repeated requests for their records, especially in cases involving insurance companies.

The GPC advises GPs that when they provide a copy of a record to a patient, or to their representative, they inform the patient, or the representative, that they are responsible for making further copies for other interested parties as the practice is unable to fill repeated requests for copies.

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**GP REGISTRARS
SUPPLEMENT**

Queries have been raised regarding how the GP Registrars Supplement is applied and which GP Registrars are eligible for this supplement.

The GPC has clarified that:

- The GP Registrars supplement is paid to **all** GP Registrars who are in a GP practice placement, regardless of whether they are in year ST1, ST2 or ST3.
- The supplement is added to each GP Registrar's basic salary.
- GP Registrars beginning a General Practice placement from 1st April 2009 will receive a supplement of 45%.

Full details of GP Registrars remuneration can be found in the following documents:

GP Registrar Directions (Schedules 1 and 2):

<http://www.nhsemployers.org/PayAndContracts/JuniorDoctorsDentistsGPReg/Pages/DoctorsInTraining-GPRegistrars2007.aspx>

BMA-COGPED Framework
Contract for GP Registrars:

http://www.bma.org.uk/employmentandcontracts/employmentcontracts/junior_doctors/framecontractGPregs0707.jsp

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**SALARIED GPs
HANDBOOK REVISION**

The electronic version of the BMA's Salaried GPs Handbook has recently been amended.

BMA members can access a flyer explaining the changes to the handbook from the BMA website (login required) at:

http://www.bma.org.uk/employmentandcontracts/employmentcontracts/salaried_gps/salariedgpbook.jsp

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**SESSIONAL GPs
NEWSLETTER**

The Spring 2009 edition of the GPC's Sessional GPs Sub Committee newsletter can be downloaded from the GPC website at:

http://www.bma.org.uk/images/gpses/snews0509_tcm41-185790.pdf

The aim of this newsletter is to keep salaried and locum GPs (known collectively as sessional GPs) up to date with the wide range of new and ongoing issues affecting them. This latest edition covers topics such as:

- Elections to the Sessional GPs Sub Committee.
- Should the model salaried GP contract be scrapped?
- Salaried GPs' Pay.
- Revalidation.
- Sessional GP Forum.

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**KING'S FUND ENQUIRY INTO
THE QUALITY OF GENERAL
PRACTICE**

On 16 April 2009 the King's Fund launched an 18 month inquiry into the quality of general practice. The inquiry will collect and examine evidence on the quality of care and services provided by GPs and other health professionals working in general practice. It will examine a number of key areas, including patient access to care, the quality of diagnosis and referral, and how

patients with long-term conditions are cared for.

Detailed information about the inquiry can be found on the King's Fund website at:

http://www.kingsfund.org.uk/research/projects/gp_inquiry/

Regular updates will be added to the site as the inquiry progresses.

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**WORLD CLASS
COMMISSIONING: IMPROVING
PHARMACEUTICAL SERVICES
GUIDE**

The Department of Health (DH) has produced guidance for the NHS on how to commission Pharmaceutical Services on the back of last year's Pharmacy White Paper.

A copy of the guidance and a letter to Chief Executive Officers from the Minister, Phil Hope MP can be downloaded from the DH website at:

<http://www.dh.gov.uk/en/Managingyourorganisation/Commissioning/index.htm>

http://www.dh.gov.uk/en/Publicationandstatistics/Lettersandcirculars/Deacolleagueletters/DH_097654

Please forward any articles, comments etc for inclusion in the LMC newsletter to the LMC office via:

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Articles for the June 2009 edition of the LMC newsletter to be received **by Monday 8 June 2009**.