

CLEVELAND LOCAL MEDICAL COMMITTEE

ADVICE TO PRACTICES ON VIOLENCE

The LMC has been made aware of a number of occasions where practices have been confused about how to manage violent patients and more particularly patients who threaten rather than commit violence. In the eyes of the NHS there is no difference and both groups of patients should be considered in the same way.

Similarly, we have heard from a practice that it does not wish to remove a patient who has acted in a violent way because they did not wish to pursue a prosecution. This should have no bearing on whether or not to take action under the appropriate regulations to remove the patient.

For ease of reference, the following is a summary of the position of violence, threats and appropriate action; please keep it for future reference.

What is the definition of violence?

The regulations do not differentiate between violence and threats. Violence is an act of violence against any doctor, member of staff or any other person who has reason to be on the premises, or behaviour which leads any person legitimately in the practice premises to fear for their safety. Safety can be interpreted in the widest possible terms, including aggressive behaviour, verbal or sexual harassment. It also applies to any other place, such as a patient's home, where services are being provided to the patient.

What do I do in cases of violence?

If there is a continuing threat, dial 999. Once the threat is contained you should consider removal from the list. This is effected as soon as the police are informed and NE PCSA is made aware of the problem, either by telephone or fax. Written confirmation is required within seven days.

What does reporting to the police require?

Reporting to the police requires only that the incident is reported to the police. There is no need to seek to have the complaint pursued any further and you do not require a crime number from the police in order to remove the patient. Such an incident may be reported to the central Cleveland Police Headquarters on 01642 326326.

Do I have to inform the patient?

Yes, unless it is not reasonably practicable to do, or if it would be harmful to the physical or mental health of the patient, or put anyone's safety at risk.

Must I record the incident if I remove the patient?

Yes. The Regulations oblige a record to be made in the patient's medical record that the patient has been removed on grounds of violence and give details of the circumstances leading to the removal. You should also inform the NE PCSA Tees GP Contract Manager, Wendy Stephens, on 0191 502 6514 / wendy.stephens@nhs.net

Why should I remove the patient from the List?

Firstly, to protect your staff and other patients. Secondly, to ensure that the patient is recorded as being violent as otherwise it is quite possible for the patient to register with another doctor either in the same or a different area and that practice not being able to protect the staff as is desirable.

Is there any action we can take short of removal?

Yes. NE PCSA operates a "Violent Patient Register". Patients are placed on this register when they are removed from a practice on the grounds of violence and also at the request of practices. Inclusion on this register allows for proper discussion about the appropriate way of providing services to the patient and also makes it possible to consider liaising with other agencies where this can be justified.

The NHS Security Management Service also offer conflict resolution training, which enables staff to spot potentially violent situations before they arise, and show them skills to defuse them. Your PCT Security Management Specialist (contact details below) will have details of how to access these courses.

What about confidentiality?

Confidentiality is obviously a key element of medical practice; however, the GMC recognises that it is legitimate to breach a patient's confidentiality in the public interest. Such a decision should only be taken by a registered medical practitioner who has taken appropriate advice either from colleagues, the LMC or their MDO. This discussion should also include a decision as to whether or not the patient should be informed about the decision to breach confidentiality and, if so, by whom and whether the patient should be asked to consent to such information being released and, if so, by whom.

All discussions should be properly recorded to enable appropriate justification at a future date.

What about other household members?

Other household members should not be removed automatically, but a practice should not place anyone at risk of threat or injury in providing care.

If you feel it is necessary to remove a family member from the list you should follow the normal procedures, which, other than in exceptional circumstances, require a warning to be given.

Where can I get help and advice?

The LMC will be pleased to advise on these issues. For advice on the management of patients where there is a reason to believe violence is likely, but has not taken place, your PCT's Local Security Management Specialist should be approached (contact details below).

Each PCT has a Local Security Management Specialist whose role involves developing a pro-security culture among staff, professionals and patients, raising awareness and encouraging reporting of violent incidents when they occur. The detection of incidents of violence enables information to be used for trend and risk analysis. The LSMS works with and assists the police in investigating incidents of violence against staff, in order to deter and prevent further incidents. The LSMS will ensure that the full range of possible sanctions is considered when dealing with offenders and attempt to obtain redress in appropriate cases. Advice in these areas can be obtained from your PCT's accredited LSMS (details below):

Mr Ian Ogilvie
Tees Locality Security Management Specialist
Kirkstone Villa
Lanchester Road Hospital
Durham DH1 5RD

Direct line: 0191 441 5933
Mobile: 07980 726 507
Email: ian.ogilvie@nhs.net

The LSMS should also be able to assist in circumstances where a patient who has been removed from your list continues to cause problems, although in an emergency the police should be approached, using 999 when appropriate.

Contacting the LMC

The LMC can be contacted by post, email, fax or phone at:

Cleveland LMC
Second Floor
320 Linthorpe Road
Middlesbrough TS1 3QY
Tel: 01642 737744
Fax: 01642 737745
Email: christine.knifton@middlesbroughpct.nhs.uk