Dear Prime Minister

As the Government develops its response to Robert Francis’s final report into Mid Staffordshire NHS Foundation Trust, I want to make clear the BMA’s commitment to ensuring the medical profession plays its full role in preventing another such tragedy. I also want to share our view of how achieving a positive cultural shift in the NHS is absolutely critical to this end.

The Francis report rightly highlights that openness, transparency and candour must be ensured throughout the system about matters of concern, and that a common culture, shared by all in the service of putting the patient first, should be fostered. This has been talked about for many years and we now have a real opportunity to come together to make it happen. Any proposals that Government, regulators, health professionals and NHS management make from here on must be assessed rigorously against these aims.

I believe the only way to achieve a consistent and sustainable ethos of candour is through effective organisational management and leadership, including of course clinical leadership, combined with improved training, information sharing and support for healthcare professionals.

There are already very clear professional duties on doctors, outlined in the General Medical Council’s guidance Good Medical Practice, to be open and honest with patients if things go wrong, and to raise and act on concerns about patient safety. We can and must to do more to promote and monitor these duties, the fulfilment of which can rightly mean the difference between a doctor being able to practise or not practise.

At the same time, we must ensure there are no barriers to doctors in fulfilling these duties. As the Francis report highlights, NHS organisations must do more to listen to and act on the concerns of staff. Placing a corresponding duty on healthcare providers ‘to listen’ could send a positive and reassuring signal to staff that they will be heard without fear of punitive action.

Following the same logic, I have doubts about pursuing the recommendation to move to a statutory duty on healthcare professionals to observe the duty of candour. There is a serious concern that such a blunt instrument could foster the wrong sort of culture change, encouraging defensive practice rather than a professional commitment to openness and partnership.

I also believe that openness, transparency and candour must equally extend to reforms and reorganisations in the NHS. The BMA accepts that it will sometimes be necessary to review and change the way services are delivered and that this may in some circumstances involve cuts, including to staffing levels. However, reforms need to be introduced in a considered way, in consultation with clinicians and other health professionals, and in a way which does not at any stage jeopardise patient safety. This must always come first.
There is of course much more in Robert Francis's detailed and thorough report for Government – and the medical profession and others – to consider. I very much hope we can work with you and the Secretary of State for Health over the coming weeks and months to make the most of the opportunities it presents to ensure that the NHS is providing the best possible quality of care for all of its patients.

Yours sincerely

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Chair of Council, BMA

cc Rt Hon Jeremy Hunt MP, Secretary of State for Health