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PRINCIPLES OF RAISING CONCERNS



GENERAL DENTAL COUNCIL
STANDARDS GUIDANCE

GDC | protecting patients,
regulating the dental team

“We aim to protect patients
promote confidence in dental
professionals
be at the forefront of healthcare
regulation

We register qualified professionals
set standards of dental practice and
conduct
assure the quality of dental education
ensure professionals keep
up-to-date
help patients with complaints about a
dental professional
work to strengthen patient
protection”

ABOUT THIS BOOKLET

Our standards guidance, 'Standards for dental professionals', sets out six main principles which apply to all areas of your work as a dental professional.

It is your responsibility to follow the principles, using your judgement in the light of them.

The guidance says:

'Put patients' interests first and act to protect them.'

- If you believe that patients might be at risk because of your health, behaviour or professional performance, or that of a colleague, or because of any aspect of the clinical environment, you should take action.

The purpose of this booklet is to help you to raise any concerns you have that patients might be at risk and to advise on the support available to you in doing this.

When someone raises a concern, they are worried about a danger or something illegal which affects, or could affect, other people. They are raising a concern so that others can deal with it. Raising a concern is different from making a complaint. When someone makes a complaint, they may be expected to prove their case. When you raise a concern, you should not be expected to prove the malpractice you are concerned about.

Other sources of help and advice

There may be times when you are not sure whether to raise concerns about practices or behaviour that you have seen. There are a number of possible sources of help including:

- colleagues;
- your dental defence organisation;
- your employer;
- your professional association; or
- Public Concern at Work (see below).

You can also contact other organisations, if appropriate, such as the Health and Safety Executive.

Public Concern at Work is an independent authority that provides free, confidential advice to people who are not sure whether, or how, to raise concerns about practices that they have seen at work.

If you employ or manage staff, Public Concern at Work can help you develop your own procedures to encourage staff to raise concerns.

If at any time you are not sure what to do, contact us using the contact details on the back of this booklet.

Useful contacts

Public Concern at Work
Website: www.pcaw.co.uk
Helpline: 020 7404 6609

Health and Safety Executive
Website: www.hse.gov.uk
Phone: 0845 345 0055

NHS Counter Fraud and Security Management Service
Website: www.cfsms.nhs.uk
Fraud and corruption line: 0800 028 40 60

You can find more information and advice on our website at www.gdc-uk.org.

1 Your own health, behaviour or professional performance

- 1.1** The duty to put patients' interests first and act to protect them must override personal and professional loyalties.
- 1.2** As 'Standards for dental professionals' explains, you have a duty to work within your knowledge, professional competence and physical abilities.
- 1.3** This responsibility includes making sure that you:
- get and follow medical advice if you know that you have a serious condition which you could pass on to patients, or that your judgement or performance could be seriously affected by a condition or illness;
 - get help if you have any other problems which are affecting or may affect your professional performance;
 - only carry out a task or type of treatment if you are sure that you have been trained and are competent to do it;
 - do not put anyone off raising a concern about your health, behaviour or professional performance; and
 - co-operate fully with any procedure for investigating concerns which applies to your work.

2 The health, behaviour or professional performance of others

- 2.1** You have a responsibility to raise any concern you have that patients might be at risk because:
- of the health, behaviour or professional performance of an employer or colleague;
 - of any aspect of the clinical environment; or
 - you have been asked to carry out any action that you believe conflicts with your duty to put patients' interests first and act to protect them.

- 2.2** You have a responsibility to do this whether or not you are in a position to control or influence the practice, business or arrangements within which you work.
- 2.3** Act on concerns as early as possible, whether or not they pose an immediate risk to patients. This may allow poor practice to be identified and tackled before there is a serious risk to patient safety.
- 2.4** If you have a concern, raise it. If you are not sure, ask yourself the following questions.
- What might happen in the short- or longer-term if I do not raise my concern?
 - If asked to do so, could I justify why I did not raise the concern?
- 2.5** Remember, it is your duty to put patients' interests first and act to protect them. If you fail to do so by not raising a concern, your registration could be at risk.
- 2.6** Make sure you are aware of any procedure for raising concerns where you work, and follow it.
- 2.7** If you employ or manage staff, make sure that you:
- encourage all staff, including temporary staff, staff on different sites and locums, to raise concerns about the safety of patients, including the risks that may be posed by colleagues;
 - support staff members who do so;
 - take steps to tackle any shortfalls in the standards and performance of the staff team; and
 - have systems in place for dealing supportively with problems in the health, behaviour or professional performance of staff members.

3 When to involve us and when to take action locally

- 3.1** The action you should take will depend on what your concern is about. For example, local clinical governance arrangements or poor performance schemes (such as Practitioner Advice and Support Schemes for dentists) can help support a healthcare professional whose performance does not pose an immediate risk to public safety.
- 3.2** Where possible, you should raise concerns first with your employer or manager.
- 3.3** It may not always be appropriate or possible to raise concerns with an employer or manager. For example, the employer or manager could be the source of your concern, or could have failed to act on concerns you have raised.
- 3.4** If it is not appropriate or possible to raise concerns with an employer or manager, or you are self-employed, you can raise concerns with your local primary-care organisation or NHS hospital trust. There should be appointed people within primary-care organisations who you can raise your concerns with.
- 3.5** If you raise a concern, you should be kept informed of the action that has been taken to deal with it.

Where concerns should be raised with us

- 3.6** If you have a concern about a dental professional, you should refer it to us if:
- taking action at a local level would not be practical;
 - action at a local level has failed;
 - the problem is so severe that we clearly need to be involved (for example, issues of indecency, violence or dishonesty, serious crime, or illegal practice); or
 - there is a genuine fear of victimisation or a cover-up.

- 3.7** You should refer concerns about other healthcare professionals to the relevant professional regulatory organisation if any of the situations in paragraph 3.6 apply.

4 Protection for people who raise concerns

- 4.1** The Public Interest Disclosure Act 1998 (PIDA) gives protection to employees who raise genuine concerns about potentially illegal or dangerous practices in the workplace.
- 4.2** PIDA applies to all employed dental professionals working within the NHS or the private sector, and to self-employed dental professionals contracted to provide NHS services.
- 4.3** Concerns you raise with us, or with any other professional regulatory organisation, will be protected under PIDA if the concerns are about:
- crime;
 - someone breaking a legal obligation;
 - a miscarriage of justice;
 - danger to health and safety or the environment; or
 - a cover-up of any of the above.
- 4.4** This protection will apply as long as you:
- are acting in good faith;
 - honestly and reasonably believe that the information and any allegation in it are substantially true;
 - are not raising concerns mainly for the purpose of personal gain; and
 - have taken steps to raise concerns first with the employing authority (unless you reasonably believe that you would be victimised if you did so, or you reasonably believe a cover-up is likely or the matter is very serious).

- 4.5** Employees and contractors do not have to prove their concerns, as long as they make them in good faith.
- 4.6** We recommend that when you report concerns you give your name. This is because:
- it is harder to investigate concerns if people cannot ask follow-up questions; and
 - it is easier to get protection under PIDA if you raise your concerns openly.
- 4.7** If you are concerned about revealing your name when raising a concern, give your name but ask that it is not revealed more widely without your consent (permission).

5 Summary

- 5.1** Your duty to raise any concerns you have overrides any personal and professional loyalty.
- 5.2** If in doubt, always raise a concern.
- 5.3** Try to raise concerns locally first. Come to us if you can't, or if you have already raised a concern locally and nothing has been done about it.
- 5.4** You should not be asked to prove your concerns.

GUIDANCE THAT SUPPORTS THIS BOOKLET

As well as this booklet, we have produced guidance booklets on the following.

- Standards for Dental Professionals (published May 2005)
- Principles of Patient Confidentiality (published May 2005)
- Principles of Patient Consent (published May 2005)
- Principles of Dental Team Working (published January 2006)
- Principles of Handling Complaints (published May 2006)

You can download these booklets, and more copies of this booklet, from our website, or you can phone or e-mail us for copies using the contact details below.

Other sources of advice

You can find a range of further sources of information and advice for dental professionals and the public on our website at **www.gdc-uk.org** Or, you can phone us for a copy of the list on **020 7887 3800** or email us at standards@gdc-uk.org

CONTACT US

To check whether somebody is a registered dentist or registered dental care professional, or on the Specialist Lists: registration@gdc-uk.org
Or check online at www.gdc-uk.org

For more information about how we quality-assure dental education: qualityassurance@gdc-uk.org

For more information on making a complaint about a dental professional: complaints@gdc-uk.org

To find out more about our standards of practice and behaviour: standards@gdc-uk.org

To find out more about how we're working to improve patient protection through our modernisation programme: communications@gdc-uk.org

If you would like a large print or audio version of this leaflet, please contact communications@gdc-uk.org

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