

**WRITTEN QUESTION TO THE CHIEF MINISTER  
BY THE DEPUTY OF ST. MARTIN  
ANSWER TO BE TABLED ON TUESDAY 17th NOVEMBER 2009**

**Question**

Following the announcement by the Chief Minister on 3rd November, that Goodwin Hannah Consultants would be appointed to undertake an independent review of the 3 year suspension of a Consultant Gynaecologist -

- (a) Will the Chief Minister explain the method of selection?
- (b) When will the Terms of Reference be published?
- (c) Will Goodwin Hannah Consultants include a member with medical expertise to investigate whether there were grounds for the suspension in the first place?
- (d) Will Goodwin Hannah Consultants have access to the body of evidence already gathered by Verita about the management of the suspension?
- (e) Will the full cost of the suspension including the cost of the reviews be included in the findings?
- (f) Will Goodwin Hannah make recommendations?
- (g) Will the Final Report be made public?

**Answer**

- a) Several potential providers were asked to submit bids for the work. The final selection was made by the Chief Minister supported by the HR Director. Key aspects of the proposals that were considered were background of the consultants, availability, timescales, and cost.
- b) The Terms of Reference have been circulated to all States Members along with background information on the two Reviewers, but are also attached hereto.
- c) The Review Panel does not include an expert with medical qualifications but both reviewers have extensive experience and expertise in human resources issues in the NHS. The review will look only at employment processes and issues not clinical matters.
- d) No. The Verita review, after two States' debates has clear Terms of Reference that relate specifically to the care, treatment and management of a patient and patient safety issues. Verita have not addressed the exclusion and its subsequent management as part of its investigation. This is the purpose of SEB's Exclusion Review which has different Terms of Reference that relate purely to employment matters.
- e) Investigation into the cost of the exclusion forms part of the Terms of Reference.
- f) Yes, as set out in the Terms of Reference.
- g) The publication of the report is described in the Terms of Reference and as far as is permissible the findings will be published. However, as I have explained in the States and in the Terms of Reference, there are duty of care and confidentiality issues that do not allow the full report to be made public.

# **A review of the management of the exclusion from work of a Consultant employed at the Jersey General Hospital**

## **Commissioner**

The Chief Minister, on behalf of the States Employment Board, has commissioned this review into the exclusion of a consultant following the death of a patient in 2006. Given the length of time that has elapsed since the incident, the cost and the concern of States Members and the public, the States Employment Board has asked for an independent review of the exclusion process to assure itself that the management of the process has been conducted correctly, and that the process itself meets the needs of a small jurisdiction like Jersey.

## **Terms of Reference**

The purpose of the review is to;

- (a) examine the procedure employed by the Health and Social Services Department, at the time of the incident, for dealing with the capability and conduct of senior doctors and determine whether it was robust and fit for purpose, and
- (b) investigate whether the procedure for dealing with the capability and conduct of senior doctors was correctly followed at that time, including
  - (i) the reasons for the immediate exclusion of the Consultant following the incident,
  - (ii) whether the National Clinical Assessment Service (NCAS) was consulted, when it was consulted and whether any advice NCAS offered was followed, and
  - (iii) whether there were any procedural errors, or conflicts of interest exhibited by the States Employment Board or the Senior Management Team of the Health and Social Services Department which have led to the exclusion not being resolved to date;
- (c) investigate the time taken in the resolution of the exclusion, the cost of the exclusion and compare this to the practice in the NHS in the UK (and other small jurisdictions).

## **Report**

A draft report should be submitted to the States Employment Board. The States Employment Board will ensure that its duty of confidentiality to any and all of its employees is maintained. The report should therefore be in two parts; part one should consist of matters appropriate for publication to States Members and the public, with part two relating to those matters of specific individual detail that will not be published and will remain confidential to the States Employment Board.