

#### **5.14 Deputy M.R. Higgins of the Minister for Health and Social Services regarding doctors currently working under restrictions:**

Mindful of the need to anonymise the response, will the Minister detail the length of time that each of the doctors currently restricted have been under such restrictions, explain what training has been offered to, refused by or undertaken by them and give a categorical assurance that every assistance has been given to them to enable a full return to medical duties, and that there have been no deliberate impediments.

#### **Deputy A.E. Pryke of Trinity (The Minister for Health and Social Services):**

There are currently 4 doctors working on restricted practice. The doctors have been working on restriction for periods of 5 to 23 months. I have already provided a briefing paper to all States Members about this issue. I can categorically assure Members that Health and Social Services have not put any impediment in place to the provision of retraining or other measures such as study leave or working under supervision to support these doctors to return to full duties. Where necessary we have gone to substantial lengths to secure retraining packages. We have acted in accordance with H.R. (Human Resources) best practice, the requirements of our own policies and those imposed by the agencies that regulate the medical profession and in accordance with any legal processes that may relate to any of these doctors.

#### **5.14.1 The Deputy of St. Martin:**

I know the Minister has not mentioned patient safety today but one of the doctors was able to return last year, last February - 12 months ago - in which he was exonerated of all charges and, in fact, found that he should never have been suspended. Can the Minister inform Members why this person, this doctor, is not back on to full duties and why has he not been retrained?

#### **The Deputy of Trinity:**

I never make any apologies for mentioning patient safety. That must be to the forefront of any Health and Social Services Department. I will not go into any precise details of any restricted doctors. Suffice to say that we are working with all of them with a view of retraining, where that is appropriate, to get them back into proper duties.

#### **5.14.2 The Deputy of St. Martin:**

Just a supplementary. Again, I will refer to this one particular surgeon or consultant because it is 12 months. Can the Minister inform Members what particular training and help and guidance he has been given within those last 12 months, and, in fact, why is he not back at full work?

#### **The Deputy of Trinity:**

I will not - and I have said that many times - go on a specific person. I have given briefings to all States Members regarding restricted practice and the training is worked out with the doctors with a view of work going forward.

#### **The Bailiff:**

I suppose we should not really treat a hearing aid the same as a mobile telephone.  
[Laughter] Deputy Le Hérissier.

#### **5.14.3 Deputy R.G. Le Hérissier:**

Notwithstanding the Minister's well-held concerns, could the Minister tell us, in the light of these several instances of restricted practice, what lessons does she feel she has learnt in the last year or 2 from this situation?

**The Deputy of Trinity:**

I think the main lesson that I have learnt is it is complex and it is not straightforward, there are very many different issues which have to be taken into account. I wish it could happen sooner and I also wish that States Members really could understand the briefing and the doctors on restricted practice briefing notes.

**5.14.4 Deputy M.R. Higgins:**

I must admit I am very surprised to hear that a doctor has been on restriction for 23 months but has not received any training whatsoever. I must admit I am very, very concerned at the answers given by the Minister for Health and Social Services because information that I am receiving - and I will come back to the House if it is substantiated - is there are impediments being put forward to prevent certain doctors getting training. So if I find that the information I am being fed is correct then I will be making a formal complaint about the Minister misleading the House.

**The Bailiff:**

So what is your question?

**Deputy M.R. Higgins:**

Is the Minister totally sure that she has been fed the right information by her staff?

**The Deputy of Trinity:**

This is the information I have, it is bound by some confidentiality and I know Deputy Higgins has asked this question, I forget how many times he has asked it, but what I say to him is if he has that information, if he has that evidence, then please come and see me. As I have said, I have always got an open door policy and I have given the States Member the briefing notes and the Deputy has not come to me. I challenge him, if he has that evidence, please come and see me.

**Deputy M.R. Higgins:**

If I can just say, I wanted a categorical assurance there were no impediments first.

**5.14.5 The Deputy of St. John:**

This morning I was told I had to wait until this last question basically to put my question, I had my light on, and on from the very first question, and I am still being totally ignored by the Chair. You keep on cutting me off at the knees, Sir.

**The Bailiff:**

Deputy, that is the last thing I would wish to do. I do apologise, I did not see your light. I looked around and did not see it. Would you like to ask your question then, there is still time?

**The Deputy of St. John:**

Of the doctors on restricted practice, how many are awaiting disciplinary hearings, if any?

**The Deputy of Trinity:**

Again I say this, I have a duty of care to my employees and I cannot give that information however much States Members would like to know. I am afraid I am bound by the confidentiality, as I said, I have a duty of care to my employees.