The Nursing Specialist Group

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Information and Litigation in Healthcare – June 11th 2003

Kettering General Hospital,
Post Graduate Medical Centre

The NSG conference "Information and Litigation in Healthcare" was held on 11th June 2003 at Kettering General Hospital Post Graduate Medical Centre.

Delegates were welcomed by Helen Sampson, BCS NSG Chair who dealt with "housekeeping" arrangements and set out the theme for the day. It was explained that many delegates may arrive late due to a major crash on the M1, and updates on the traffic situation were given throughout the day.

Glyn Hayes, Chair BCS Heath Informatics Committee then spoke about some of the forthcoming activities in the field and pointed delegates to some of the books and other materials recently published by BCS.

The first presentation was by Joe Nichols, NMC Professional Officer - Mental Health who addressed "IT, EPR and record keeping". While admitting that he was not an expert in health records arena he described the structure, organisation and current work of the Nursing and Midwifery Council and highlighted the regulatory and guidance functions of the NMC in relation to records and record keeping. In addition, he described how information systems are helping to cope with a 650% increase in registrations from nurses from overseas.

He urged delegates to get involved with current consultations; The new register, Election scheme, and Fitness to practise, all of which are available from the NMC web site, and suggested the the guidance document "Guidelines for records and record keeping" which was inherited from the UKCC may be updated.

Powerpoint presentation (Internet Explorer only)
The second presenter was Susan Lowson, Nurse advisor to the Health Service Ombudsman who spoke about "Complaints Management - getting the record straight". She described common areas of complaint, often about fundamental aspects of nursing care, and how they are investigated, and gave examples of the poor quality and clarity of nursing records.

Susan set out current work in the area with an emphasis on increased local resolution of complaints and the relationship with CHAI (ex CHI), and made a plea for complaints to be used for learning and improving performance.

Delegates were encouraged to look at and learn from the example cases and annual reports available from the web site of the Health Service Ombudsman

Powerpoint Presentation (Internet Explorer Only)

After coffee Brian Layzell, an independent consultant, set out the "Implications for professionals following security and confidentiality breaches." He described the myriad of UK and European statutes and guidance with implications in the area, and many of the organisational and technological issues which need to be addressed.

He gave a variety of examples of security breaches and considered the media interest in this area before giving an overview of the poor state of the NHS in countering or coping with security breaches, as set out in ISO 17799 and some developments which are under active consideration, development or implementation.

Powerpoint Presentation (Internet Explorer Only)

The after lunch spot was handled by Dr Grant Kelly, BMA who gave a humorous presentation on "Confidentiality work undertaken with the BMA" while managing to raise some serious issues.

He considered the difference between Electronic Data Interchange (EDI) and electronic communication where human being are involved (e.g. email), and the regulations and safeguards which are needed for this. He argued that a centralised data store was preferable to highly distributed systems because of the ability to implement rigid controls and how this was vital to replace the current mish mash of IT systems and databases in healthcare.

The issues were put into historical and cultural context
with considerations of the difference between Citizenship (most EU countries) and being a subject (UK), and the important distinctions between ownership and rights in relation to personal information.

Marcel Pooke then addressed "Multidisciplinary records and issues". He asked the question "do they exist?" and whether they are "fact or fiction" and went on to argue that members of the full multidisciplinary team are not seeing the same patients and therefore what sort of records system was most appropriate.

The distinction between integrated and multidisciplinary records was drawn and the drivers, including the NHS modernisation agency, which are likely to influence developments.

He concluded by arguing for a fairly simple web based health record rather than complex software solutions.

Professor Sue Frost, Dean of Human & Health Sciences and Professor of Nursing at Huddersfield University then gave us a view of "Education to support new ways of working". She attempted to "catch her crocodile" by bringing some of the issues down to size. She emphasised the need for clear outcomes with core and transferable skills in IT based education. The Virtual Hospital Project was placed in its educational context and related to Dynamic Knowledge Networks.

As both an educationalist and manager she described some of the curricula developments at Huddersfield and considered them both innovative and value for money.
The final speaker of the day was Dr John Wright, NHS Information Authority who described the NHS view of Information Governance and introduced the NHS "toolkit". He used examples from his own medical history to give examples of how information governance issues affect clinical care, and put this in the wider legal and regulatory framework.

He set out future requirements for NHS organisations and bodies for improved information governance and the relationship to the roles of Cauldicott Guardians. After identifying many of the current problems and issues he described the development and implementation of the Toolkit to help.

Further information is available from the NHSIA Information Governance Web Site
www.nhsia.nhs.uk/caldicott/pages/default.asp

The day was well attended and as well as presenting the latest picture on issues surrounding information and legislation in healthcare, it provided a valuable opportunity for wider networking with colleagues from around the country over coffee and lunch in this pleasant environment.

Thanks must go to Janette Bennet and Jane Fallon from the Kettering NHS trust for the conference venue and organisation.