



General Medical Council

Memorandum of Understanding

The General Medical Council and the Healthcare Safety Investigation Branch

- 1) Introduction
- 2) This Memorandum of Understanding (MOU) sets out the framework to support the working relationship between the Healthcare Safety Investigation Branch (HSIB), and the General Medical Council (GMC) to promote the safety and wellbeing of the public receiving NHS funded health care in England.
- 3) It is intended to inform members of staff about how the HSIB and the GMC will work together, and to ensure that effective channels of communication are maintained. The working relationship between the HSIB and the GMC supports the maintenance of a safety improvement system for health care in England that promotes patient safety and high-quality care.
- 4) HSIB is a safety investigation body established under the National Health Service Trust Development Authority (Healthcare Safety Investigation Branch) Directions 2016 and the National Health Service Trust Development Authority (Healthcare Safety Investigation Branch) (Additional Investigatory Functions in respect of Maternity Cases) Directions 2018, The HSIB was set up to discharge the Secretary of State duties in relation to the promotion of a comprehensive health service and securing continuous improvement in the quality of services.
- 5) The GMC is the independent regulator for doctors and was established to protect patient safety and improve medical education and practice across the UK.

6) This MoU does not override the responsibilities and functions of the HSIB or the GMC, including those derived from statute, nor does it create any legal rights or obligations that are enforceable in law. However, the GMC and HSIB are committed to working in ways that are consistent with the principles of this MoU.

7) Responsibilities and functions of GMC and HSIB

8) The responsibilities and functions of both organisations are set out at Annex A.

9) Investigations and inquiries relevant to both organisations' functions

10) It is possible that investigations carried out by the organisations could coincide. Where this is the case the two organisations will cooperate closely with each other as far as differing remits and any relevant statutory powers allow.

11) They will, where appropriate and within the bounds of any statutory powers and obligations, plan activities so that they are complementary and keep each other informed of appropriate developments.

12) Where the HSIB deems the GMC to be concerned in any investigation into any accident or incident it may ask the GMC to contribute to the investigation.

13) The GMC may share anonymised intelligence to support HSIB in the scoping of its investigations.

14) The GMC Employer Liaison Service (ELS) may discuss issues with ROS to support understanding of the systemic nature of an issue.

15) Other information sharing & ongoing liaison

16) Other examples of how the organisations may work together and share information include:

a. Sharing information on strategic and policy developments which may impact on each other's work.

b. Sharing information about trends, data approaches and initiatives which may be of interest to each other.

17) Collaborating on relevant external communication.

18) The HSIB may share in confidence conclusions arising from any investigation it feels may the GMC may benefit from knowing.

19) Exchange of information

20) Cooperation between the HSIB and the GMC will often require the exchange of information. All arrangements for collaboration and exchange of information set out in this MOU and any supplementary agreements will take account of and comply with relevant information legislation, and any HSIB and GMC codes of practice, frameworks or other policies relating to confidential personal information.

21) This MoU will be supplemented by a separate Data Sharing Agreement which will set out the detailed arrangements for sharing information between the organisations.

22) Both HSIB and GMC are subject to the Freedom of Information Act 2000. If one organisation receives a request for information that originated from the other, the receiving organisation will discuss the request with the other before responding.

Signed:  Signed: 
MASSEY

Keith Conradi
Chief Investigator
Healthcare Safety Investigation Branch

Date: 24/12/18

Charlie Massey
Chief Executive
General Medical Council

Date: 13/12/18

Annex A

- a) To make safety recommendations to improve patient safety where appropriate and report on any safety action planned or already taken;
- b) To improve patient safety by promulgating the lessons learned from investigations as widely as possible;
- c) To encourage the development of skills used to investigate local safety incidents in the NHS;
- d) To act as global ambassadors for safety investigations;
- e) To maintain and develop excellence in its people and provide a fulfilling and safe environment in which to work.