

April 30th 2018

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Investigation and Inquest into the death of Ms Ivanika Olivari

Dear Dr Wilcox,

We are very sorry to hear about the death of Ms Ivanika Olivari and have taken time to consider the concerns and issues raised in the report. I will address each of the points for the General Medical Council (GMC) in turn.

- **The GMC considers its guidance for doctors and amend where necessary to ensure that it is clear that messages may be left for patients in urgent and emergency situations.**

As you may know, one of the roles of the GMC is to describe what good medical practice looks like, and to set out the professional values, knowledge, skills and behaviours required of all doctors working in the UK.

We do this in a document called *Good medical practice (2013)* which is supported by *explanatory guidance* covering an extensive range of issues. The guidance is necessarily expressed as high level principles as it applies to all doctors, in all specialties, and across the four countries of the UK. It applies to all registered doctors, whether or not they hold a licence to practise and regardless of their specialty, grade or area of work (for example, NHS or independent practice).

In *Good medical practice* we explain that doctors must take prompt action if they think that a patient's safety, dignity or comfort may be seriously compromised, (paragraph 25).

In Confidentiality: Good practice in handling patient information (2017) we advise doctors on communicating with patients. In this guidance we advise doctors to communicate with patients in a format that suits both the patient and the situation as long as appropriate safeguards are put in place (paragraph 132). This can include voicemails. At paragraph 133 we expand on this to specifically address the issue of voicemail messages and confidentiality as follows;

- *Most communication methods pose some risk of interception – for example messages left on answering machines can be heard by others and emails can be insecure. You should take reasonable steps to make sure the communication methods you use are secure.*

Given the nature and remit of our guidance, we do not give further procedural advice on what specific steps doctors should take when weighing up whether to leave a voicemail message, or what its contents should be. However the guidance is clear that while confidentiality is an important and legal duty it is not absolute and the safety of patients must be taken into account. In line with the general approach in the guidance, a decision not to leave a message would need to be balanced against the harm (or lack of benefit) to the patient in delaying communication and perhaps further treatment as a consequence.

Whilst our guidance provides doctors with a framework from which to work within, we do expect doctor's to exercise their own professional judgment to apply the principles to the situations they face in practice, and to be able to justify their decisions and actions. All our ethical guidance is available at www.gmc-uk.org.

- **That the GMC and the Department of Health both take steps to ensure that the clarifications as outlined above are communicated to all doctors by the GMC and to all relevant staff employed by the NHS by the Department of Health.**

We have recently launched an updated interactive website (www.gmc-uk.org) and are working on extra resources to expand our ethical guidance hub and learning materials for doctors. We also have an extensive social media platform. We are currently considering how best to use these communication channels to remind doctors of their duty to take prompt action if they think that a patient's safety, dignity or comfort may be seriously compromised and the communication methods that may be available to do this.

We will also alert the Information Governance Alliance (which is the authoritative source of advice and guidance about the rules on using and sharing information in health and care in England) to the absence of guidance for NHS staff on the use of voicemail.

I do hope this information is helpful to you, if you need any further information, please don't hesitate to get in touch with me.

Yours faithfully



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