

Rachael Clare Griffin

Coroner's Office for the County of Dorset
Town Hall
Bournemouth
BH2 6DY

National Medical Director

NHS England
Wellington House
133-155 Waterloo Road
London
SE1 8UG

29 April 2024

Dear Coroner,

Re: Regulation 28 Report to Prevent Future Deaths – Richard Andrew Collins who died on 9 February 2022.

Thank you for your Report to Prevent Future Deaths (hereafter "Report") dated 7 March 2024 concerning the death of Richard Andrew Collins on 9 February 2022. In advance of responding to the specific concerns raised in your Report, I would like to express my deep condolences to Richard's family and loved ones. NHS England are keen to assure the family and the coroner that the concerns raised about Richard's care have been listened to and reflected upon.

Your Report raises the concern that there may be missed opportunities nationally within Trusts that could lead to the lack of revocation of driving licences on medical grounds, and that this could put patients and other road users at risk. You raised that you had not been made aware of any national guidance for NHS Trusts on the issue of local Trust guidance or policy which could help raise awareness of and compliance with the legal duties related to the medical revocation of driving licences.

It is not within the remit of NHS England to issue guidance on the revocation of driving licences. As your Report states, there is existing national [guidance](#) issued by the General Medical Council (GMC) on this issue (***Patients' fitness to drive and reporting concerns to the DVLA or DVA***) which outlines the following (section 4):

"The driver is legally responsible for telling the DVLA or DVA about any such condition or treatment [that might mean they are unfit to drive]. Doctors should therefore alert patients to conditions and treatments that might affect their ability to drive and remind them of their duty to tell the appropriate agency. Doctors may, however, need to make a decision about whether to disclose relevant information without consent to the DVLA or DVA in the public interest if a patient is unfit to drive but continues to do so."

The General Optical Council also issue similar [guidance](#). The GMC are responsible for setting the standards doctors and those who train them need to meet. It is expected that all doctors use their professional judgement to apply the standards set by the GMC in their day-to-day practice. Trusts are expected to have due regard to existing guidance from organisations such as the GMC and Royal Colleges, and to develop their own local policies. We note that in this case, Dorset Healthcare University NHS Foundation Trust (DHUFT) did not have a local policy in place at the time of Richard's death.

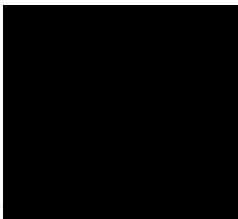
The GMC guidance refers to the guidance (General information: assessing fitness to drive) also issued by the DVLA, referenced in your Report, which sets out the responsibilities for doctors and other healthcare professionals, as well as how they can get in touch with the DVLA: [Medical condition notification: assessing fitness to drive - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/medical-condition-notification-assessing-fitness-to-drive).

As a result of the concerns highlighted in your Report, colleagues from each of the seven NHS regions will be asked to raise awareness of the GMC and DVLA guidance with their systems and providers.

I would also like to provide further assurances on national NHS England work taking place around the Reports to Prevent Future Deaths. All reports received are discussed by the Regulation 28 Working Group, comprising Regional Medical Directors, and other clinical and quality colleagues from across the regions. This ensures that key learnings and insights around preventable deaths are shared across the NHS at both a national and regional level and helps us pay close attention to any emerging trends that may require further review and action.

Thank you for bringing these important patient safety issues to my attention and please do not hesitate to contact me should you need any further information.

Yours sincerely,




National Medical Director