Witness to Harm, holding to account: Improving patient, family and colleague witnesses' experiences of Fitness to Practise proceedings: A mixed methods study.

Briefing paper (2)

Introduction and background

This is part of a wider programme of work, "Improving patient, family and colleague witnesses' experiences of Fitness to Practise proceedings: A mixed methods study". It is funded by the National Institute for Health Research. Before research starts, ethical approval will be applied for from The Open University, Manchester Metropolitan University and the University of Oxford.

Objective of Work Package 1

Methods

Work package 1 aims to will find out about witnesses' experience of the distinct stages of the regulatory process, from the decision to proceed to investigation through to a final hearing. These people will be patients, service users or colleagues those who have suffered serious harm in connection with the registrant's behaviour.

In **WP1.1** we will conduct a short a **short survey** of witnesses to once their involvement in the process is complete. This will include where cases are closed at "triage", that is, before a full investigation is undertaken, those that are closed after the investigation, or where a case is closed with the consent of the registrant after misconduct is admitted. Finally, it will include those who case goes on to a public hearing (also known as a tribunal). Results will be analysed using descriptive statistics and thematic analysis of open text answers.

In **WP1.2** we will look at all the **materials provided by regulators** to explain the process and the support that can be provided to witnesses. This includes information on their website, leaflets and may include policies and procedures to support witnesses, particularly those deemed vulnerable. Data will be analysed using documentary thematic analysis.

In **WP1.3** we use **interviews** with the public who are involved in regulators' consultation groups, including both those who have, and those who have not, been involved in FtP as witnesses. We will ask them about the **usefulness of the regulator' materials.** Results will be analysed thematically.

In **WP1.4** we will use **interviews with NHS and social care employers** on their expectations of referral to FtP of their staff, to ask about the involvement of their staff and patients/service users as witnesses (particularly where they are in a "vulnerable group"), witness preparation and how they conduct their duty of care to mitigate witness stress or traumatization. This includes asking employers of registrants about what support they provide and expect the regulator to provide to their employees and patients/service users involved in this process. Results will be analysed thematically.

In **WP1.5** we want to know about the experience of **vulnerable witnesses who have used regulators' support services (**whether in house or those externally provided services commissioned by some regulators.) We will conduct interviews, and the data will be analysed thematically.

Timing

We plan to undertake this work between November 2021 to end August 2022, with some flexibility expected due to current pandemic uncertainties.

The team (see Briefing (1) "Overview of the project" for full research team)

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