



THE UNIVERSITY of EDINBURGH  
Edinburgh Law School



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

### **Briefing paper (4)**

#### **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 Universities of Glasgow, Edinburgh and Oxford.

#### **Objectives of Work Packages 3 and 4**

Workpackage 3 aims to bring together and understand the results from earlier workpackages, in the context of professional regulation. In Work package 4 will co-produce guidance and recommendations, public resources (video and social media) of witness experience and good practice: working with the regulators, patients, legal services firms, victim support and patient/service user's rights groups.

#### **Methods**

The whole research team will work together with our advisers in three iterative workshops to map the experiences of our diverse sample of people involved in the distinct stages of the Fitness to Practise (FtP) processes. We will consider how people engage with the regulator, prepare for the different stages of the process and reflect on its outcomes. For those whose case goes to a hearing, we will reflect on how they participate and reflect on the process of being a witness as well as the outcome of the FtP hearing. Comparisons within and between different cases and different regulators will produce generalised and specific findings that inform WP4 by identifying where, when and what type of support is important to witnesses and families in cases of serious harm. In addition, our findings will identify what types of experiences contribute to the confidence of witnesses in regulators.

In workpackage 4 co-design methods will be used in 4 workshops with a range of people affected by harmful incidents with differing socio-economic class, ethnicity, gender, age, disability. The workshops will involve participants working with the research team and members of the advisory groups using 'beyond text tools' to create guidance for (i) the public and third sector organisations (HeathWatch, Patients Association, AvMA, INQUEST),(ii) regulators, and (iii) staff witnesses, employers, and professional bodies including BMA,BDA,BASW,RCN and RCM and FtP defence lawyers). This co design process will draw on the members and networks of the three Advisory Groups which involve the public, health and social care regulators across the UK, employers, professional bodies and FtP lawyers.

## Outputs

1. 6 reports throughout the project for professional regulators, CQC, employees of health and care organisations.
2. Film and audio resources on digital platforms Healthtalk.org and Socialcaretalk.org, that showcase witness narratives to describe the experience and support experienced of engagement with a regulator and show how this might be improved, for public, and professional audiences.
3. Throughout the project, the research team will reflect on the process and key findings of the research using podcasts and a range of social media.
4. The Open University will develop and host an 8 hour free course on Open Learn (on <https://www.open.edu/openlearn>) for health and social care professionals to understand the regulatory process and the impact on patients, service users and colleagues.
5. A seminar (or webinar) for the public regulators, PSA, health and care professionals, demonstrating the project's outputs and to generate discussion.
6. 6 academic and profession focussed papers and conference presentations to the wider policy, regulatory, and patient safety bodies across the UK.

## Timing

We plan to undertake Workplace 3 work between November 2021 to end August 2022, and to undertake Workpackage 4 between July 2023 to End of December 2023, with some flexibility expected due to on-going pandemic uncertainties.

## The team (see Briefing (1) “Overview of the project” for full research team)

### Work package lead

Prof. Sara Ryan (Professor of Social Care, Manchester Metropolitan)

This work package involves the whole team

This briefing describes independent research funded by the National Institute for Health Research (NIHR) under its Health Services and Delivery Research Programme (NIHR 131322). The views expressed are those of the authors, and not necessarily those of the NHS, the NIHR or the Department of Health and Social Care.