

GP RESILIENCE GUIDE : PERFORMANCE MANAGEMENT

There are three main areas of performance management which you and your practice may encounter. Any of these can affect your livelihood, so you MUST prioritise these however stressful and however much red tape they contain.

1. Individual GP performance

Doctors on the Medical Performers List (England) MUST make sure they comply with the Performers List Regulations 2013 and GMC registration and licensing requirements. The GP Support team at Londonwide LMCs (GPsupport@lmc.org.uk) can provide wholly impartial and confidential advice for all doctors (partner, salaried or locum) on:

- facing performance difficulties
- referrals to NHS England or the GMC
- individual investigations
- records review
- NCAS assessment
- health or mental health issues affecting performance suspension or removal from Performers List or the GMC



TAKE CONTROL: If you or a colleague is facing performance difficulties, or have been referred to NHSE, you should contact the GP Support team (gpsupport@lmc.org.uk) for wholly impartial and confidential advice.

2. Practice Performance

- Under achievement of Practice Performance Standards continue to be high on the NHSE agenda and continue to increase in both numbers and attainment levels. Remember that increased public transparency means that anyone with poor achievement on standards will leave practices highly vulnerable to NHSE investigation.
- We are producing a Practice Standards Guide that will be ready soon.



TAKE CONTROL: If your practice is facing performance difficulties, or has been referred to NHSE, you should contact the GP Support team (gpsupport@lmc.org.uk) for wholly impartial and confidential advice.



3. Practice investigations/records review

- Practice investigations or reviews are normally triggered by performance concerns about a particular doctor or practice. These concerns can arise from:
 - » patient complaints
 - » significant events
 - » low practice performance on contractual/QOF or other targets
 - » adverse CQC findings
 - » concerns about individual doctors' performance
 - » ongoing partnership disputes which are considered to be placing patient safety at risk
 - » or a combination of this list
- If under-performance at both GP or practice level, or partnership difficulties, are deemed to place patient safety at risk, NHSE often instigates locally commissioned practice investigations. When NHSE has reasons to believe that there are performance issues in relation to a particular doctor or practice, they are increasingly turning to independent companies or agencies, which they commission to conduct performance assessments or practice reviews on their behalf.

These assessments normally include review of patient records for the doctor(s) and/or the nurse(s), review of practice policies and procedures, interviews with clinicians and staff etc. The assessments are thorough and can be very stressful for doctors and practice teams.

- Investigations may also have significant implications for individual practitioners (e.g. Performers List action/GMC referral) as well as the practice as a whole (contract breaches or in extreme cases even termination).

TAKE CONTROL

If you are about to undergo such an investigation or records review you should contact GPsupport@lmc.org.uk as a matter of urgency.

- Outcomes of investigations of this nature can include:

Individual GP

- Educational/Remediation Plans
- Performers' List measures including conditions, suspension or removal, or GMC referral.

Practice

- Simple Action Plan
- Remedial or Breach Notices under the Contract

TAKE CONTROL

You should challenge if you think that due process is not followed during an investigation. This means ensuring that there is no inappropriate questioning, the review is conducted in accordance with the agreed Terms of Reference, no aspects of the practice are inspected without justification and no patient identifiable data is removed from the practice.



BE RESILIENT

If you are informed that NHS England intends to investigate performance concerns at your practice you should:

TAKE CONTROL

Contact our GP Support team (GPsupport@lmc.org.uk) immediately. The team will provide you with expert input and support to help you avoid suffering from process flaws, misunderstandings, delays and distress.

TAKE CONTROL

Ask for a detailed list of the Area Team's concerns in writing and how they have come to light (e.g. at an annual contract review visit, through patient complaints, Serious Untoward incidents etc).

TAKE CONTROL

Request a pre-investigation meeting with the Area Team and the company that will be conducting the investigation.

TAKE CONTROL

Ask to meet some of the investigating officers, discuss and agree terms of reference of the investigation, areas that will be reviewed, documentation that assessors will need access to and dates and times when the investigation and interviews will take place.

TAKE CONTROL

Ensure that you receive the terms of reference of the investigation in writing PRIOR to the visit and at you are in agreement with them before confirming the visit. Challenge the Area Team if you feel that some of the terms of reference are irrelevant, inappropriate or unjustified. Remember to contact our GP Support team (GPsupport@lmc.org.uk) as the team has extensive experience in reviews of this nature.

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Contact your clinical system supplier to ensure that remote access is fully regulated, confidential and safe if the assessors intend to review medical records remotely. Confirm with the assessors the time period that the records review will be conducted within and the point at which remote access to the records will be terminated.

TAKE CONTROL

Check which documentation the assessors will be taking with them after the visit and obtain written agreement from the investigating team that they will only remove anonymised patient records from the premises, at which point remote access to the records will be terminated.

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TAKE CONTROL

Contact our GP Support team (GPsupport@lmc.org.uk) who can sit in on interviews with clinicians and staff to facilitate the process on the day(s) of the investigation. Our GP Support team will ensure the questioning is appropriate and fair and we will support

TAKE CONTROL

Insist from the outset that the assessing team's report with the findings of the investigation and recommendations, will be shared with the practice in full.

TAKE CONTROL

Go through the report thoroughly and check it for factual accuracy. Challenge any factual inaccuracies or discrepancies with the Area Team in writing as soon as possible. Ask the Area Team to clarify the issues raised by the practice with the



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TAKE CONTROL



Contact the GP Support team (GPsupport@lmc.org.uk) as soon as you receive the findings of the review. The review could recommend a remedial notice, breach notice, conditions/suspension/removal of a doctor from the Performers' List or GMC referral.



Contact the GP Support team (gpsupport@lmc.org.uk) *immediately* when you receive the review findings. Leaving it to the last minute could be detrimental.

REMEMBER: We can advise you on how to engage with NHS England, negotiate terms of reference, take you through every step of the process, respond to any measures that may be taken against the practice, signpost you to the appropriate people (eg, your Medical Defence Organisation), or put you in touch with expert consultants who can help you put things right. We will support you through the entire process.



Please do not go through this on your own - contact GP Support team for help and guidance (GPsupport@lmc.org.uk)

