

Lister House Surgery

Zero Tolerance Policy Removal of Patients Procedure

Document Control

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B. Document Details

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POLICY FOR REMOVAL OF PATIENTS FROM THE PRACTICE LIST LINKED TO ZERO TOLERANCE

Purpose

Lister House Surgery aim to provide the best possible health care for their patients. However there may be circumstances when it would be considered reasonable, or in the best interests of the patient, to remove patients from the list.

The purpose of this policy, therefore, is to define the practice guidelines for when it is reasonable to remove a patient from the practice list and to ensure that any concerns about removing patients from the list are dealt with fairly.

Zero Tolerance Policy

At Lister House we aim to treat every patient with courtesy and respect at all times, in return our expectation is for our staff to be treated in the same way.

The practice operates a zero tolerance policy towards verbal abuse, threatening behaviour and/or violence within our premises.

Patients or their associates who use (or condone) verbal, physical or racist behaviour, who are sexually abusive, who obtain drugs or medical services fraudulently, or who damage, steal from, or use our premises inappropriately* may be permanently removed from our list.

Any of the above could also result in a prosecution.

*smoking (including vaping), alcohol consumption and the use of illicit drugs, psychoactive substances, and/or legal highs can be deemed inappropriate use of the premises

Situations which justify removal

Violence or Abuse (as described above and which can be seen on our Website and on our Practice Information Screens) The below poster is also displayed in the reception areas at all sites- (S:drive/Forms & Leaflets/Posters/Zero tolerance poster)



When a patient:-

- Is physically violent or threatening towards a Doctor, Practice staff or other Patients on the practice premises.
- Causes physical damage to practice premises or other patient's property.
- Gives verbal abuse or makes threats towards the Doctor, Practice staff or other Patients.
- Gives racist abuse, orally or physically.
- Is sexually inappropriate in their behaviour towards our staff or patients.
- Is violent or uses or condones threatening behaviour to doctors (or some other members of the primary health care team) while visiting the patient's home. Such behaviour may involve the patient, a relative, a household member, or pets (such as unchained dogs).

Crime & Deception

Where a patient:-

- Fraudulently obtains drugs for non-medical reasons.
- Deliberately lies to the Doctor or other member of the Primary Health Care Team (e.g. by giving a false name or false medical history) in order to obtain a service or benefit by deception.
- Attempts to use the Doctor to conceal or aid any criminal activity.
- Steals from practice premises.

Warning Letter

If circumstances where a warning letter is deemed an acceptable first step in alerting the patient of their unacceptable behaviour, a letter will be sent to the patient within **10 working days** of the incident occurring. The practice has 6 different letter templates depending on the problem that has occurred. These are:

- Verbal abuse- Call centre (**First and final warning**)
- Verbal abuse- Reception (**First and final warning**)
- Verbal Abuse & Threatening behaviour (**First and final warning**)
- 8 day **removal** for Verbal abuse, Threatening behaviour and/or Violence
- Immediate **removal**- Racism
- Immediate **removal**

It is essential that the patient be provided with reasons at the warning stage, along with details of the remedial action they should take if they wish to stay on the practice list.

The purpose of the warning is to give the patient a chance to change their behaviour.

Procedure for Removal

Violence / Crime and Deception

Any incident involving violence, crime or deception will be reported to the Practice Manager, who will complete a significant event report and bring to the attention of the practice partners.

Each individual case will be discussed at a Practice Meeting/ or by the Partners and a majority agreement will be reached.

Following agreement, the Quality Team will write to the patient and explain the reasons for removal.

The exception to this is if a patient has to be reported to the police and CCG for violent behaviour towards any member of the practice staff when s/he may be immediately removed.

Irretrievable breakdown of the doctor- patient relationship

Occasionally patients persistently act inconsiderately and their behaviour falls outside that which is normally considered to be reasonable. In such circumstances there may be a complete breakdown in the doctor-patient relationship

- Normally the sole criterion for removal should be an irretrievable breakdown of all or part of the patient-practice relationship, usually that between patient and doctor
- Violence or Threatening behaviour by the patient is a special case. It usually implies a total abrogation by the patient of any responsibility towards the doctor and/or other members of the practice and will normally result in removal from the list. As well as having a right to protect themselves GPs have a duty as employers to protect their staff, and as providers of a public service those with reason to be on their premises. Since 1994 it has been possible to request the immediate removal of any patient who has committed an act of violence or caused a doctor to fear for his or her safety. In April 2004 these provisions were extended to make it clear that the provisions extend to anyone else on the premises. The police must have been informed of the patient's behaviour and the doctor must notify the CCG or NHS England, and, other than in exceptional circumstances, the patient of the removal in writing. In such circumstances, the CCG or NHS England can be initially notified by the practice by any means including telephone and fax; however this needs to be followed up by confirmation in writing within seven days. The removal will take effect from the time the practice phones, sends or delivers notification to the CCG or NHS England
- The GPC believes that practices will use their clinical judgement to determine the appropriate course of action in those rare cases where a patient's violent behaviour results from their medical condition
- It should be noted that if practices do not remove a violent patient under these provisions, and instead use the normal removal process, they may find themselves being asked to justify why they did not do so if a violent patient subsequently registers with another practice, and potentially at risk of action should an untoward incident then take place.

The NHS England Area team, for its part, also has a legal responsibility and a duty of care to ensure that it commissions services to ensure that all patients removed under this regulation can only access NHS primary medical care through appropriately secure arrangements.

If you have any concerns about this or require any other advice in respect of the issue of dealing with violent or potentially violent patients then please do not hesitate to contact your LMC for advice.

Face Mask and Coverings

In line with government guidelines, patients are asked to wear a face masks or face covering at all times when attending the surgery. If they do not have a mask or face covering when attending, they will be asked to leave and re-book their appointment. Face masks/coverings must be worn throughout their visit including whilst sitting in the waiting areas. However the practice does recognise that certain patients may prefer a visor due to medical conditions so a disposable visor will be offered to those patients as an alternative.

<https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control/new-recommendations-for-primary-and-community-health-care-providers-in-england>

What to do if removal appears to be necessary

In cases other than violence and abuse, the GPC recommends that the decision to remove a patient from the list should only be made after careful consideration. Alternatives, short of removal, should be considered such as transferring the patient's care to a partner (with the consent of both parties) or persuading the patient that it would be better for all concerned for them to go to another practice.

The GPC believes that many patients who are misusing services can alter their behavior if this is brought to their attention and the regulations normally require a warning to be given within the 12 months prior to removal.

If all else fails the GPC believes that it is not in the best interests of either patient or doctor for an unsatisfactory relationship to continue and it will be necessary to remove the patient from the list.

Steps to be taken within the practice

- Inform all appropriate members of the practice about the problem.
- The patient and possible reasons for the patient's behaviour (e.g. disagreeableness, cultural differences, mental illness, and Personality disorder) will be discussed by the Partners/ or a Practice meeting.

Steps to be taken with the patient

- Inform the patient, either personally or in writing, that there is a problem
- Explain the nature of the problem to the patient
- Obtain the patient's perspective and interpretation of the situation.

Steps to be taken if discussion fails to resolve the problem

- Suggest that another GP within the practice might better fit with the patient's needs and expectations.

Steps to be taken in actually removing the patient

- Inform the appropriate Health Authority in writing of your decision.
- Inform the patient in writing of the decision and the reason for removal from the list.
- Explain to the patient that he or she will not be left without a GP.

- Give the patient information on how to begin the process of registering with another GP This also involves providing details of:
- How to find other GP Surgeries in the area
- NHS England Direct Telephone Advice Line

Family Members

When a decision is made to remove a patient from the practice list, the removal may well be extended to other members of the family or household.

The Quality team will write to the family / household offering an explanation for the removal. They will be allowed 4 weeks to re-register rather than being removed from the practice list immediately.

8 Day Removal Patient Removal Period

The **REQUEST FOR EIGHT DAY REMOVAL OF PATIENT(S) FROM GP LIST template is emailed to** Patient Registration Department, Leicester **Email: pcse.registrations-preston@nhs.net**.

The removal will not take effect until the eighth day after the request is received by the authority unless the patient is accepted by, allocated or assigned to another GP sooner than this. The patient is always notified by the CCG.

Responsibility

Responsibility for implementing and monitoring the policy rests with the practice partners / practice manager.

The Partners at Dr Hale and Partners re-affirm their commitment to do everything possible to protect staff, patients and visitors from unacceptable behaviour and their zero tolerance of any incident that causes hurt, alarm damage or distress.

Exceptional Circumstances

Where the Practice Manager and Partner feels that a written explanation for the removal of a patient from the practice list could potentially endanger the safety of practice staff, a management meeting to include the Partners will be held to decide whether the omission of a written explanation is justified.

Consider obtaining advice from MDU or other agency.

Following agreement, inform the CCG in writing of the decision.

Supporting documents found on U-Manage

- Categorisation of risk and required action following incidents of abusive, difficult or violent behaviour.
- MPS Removing patients from the practice list factsheet
- NHS Unacceptable behaviour- Guidance on warning letters and other written communications