

### **3.8 The Deputy of St. Martin of the Minister for Health and Social Services regarding the number of doctors and nurses suspended or excluded from duty.**

Will the Minister inform Members of the number of doctors and nurses either suspended or restricted from carrying out their normal medical duties and advise what reasons an employee would be restricted from carrying out their normal duties rather than being formally suspended?

#### **Deputy A.E. Pryke of Trinity (The Minister for Health and Social Services):**

There are currently 2 doctors excluded from work and one doctor on restricted duties. There are no nurses currently suspended. The decision whether to restrict the duties of an employee or to suspend from work depends on (1) the need to protect patients, (2) the need to protect the employee and/or their colleagues, and (3) the nature and seriousness of any allegations made. The particular circumstances of each case are examined and, where appropriate, duties are restricted rather than resorting to formal suspension.

#### **3.8.1 The Deputy of St. Martin:**

The Minister will, no doubt, have learnt that I have been asking questions around this particular doctor's restriction from work. Could I ask the Minister at what stage would a decision be made whether to exclude that doctor or suspend that doctor permanently and, indeed, what action is taken to ensure that doctor is not de-skilled in the meantime?

#### **The Deputy of Trinity:**

The final point of the question first, that is why doctors are excluded because underneath, by their professional conduct, they can continue with professional development, which I am sure the Deputy will agree is very important. The decision to suspend or exclude goes back to those 3 points that I made: the need to protect patients, protect employees and their colleagues and the seriousness of the allegations made.

#### **3.8.2 The Deputy of St. Martin:**

Could I ask the Minister is she in a position to inform Members how long it will be before a decision is made to formally exclude that person or get that doctor back to normal duties?

#### **The Deputy of Trinity:**

There are 2 doctors excluded and one which we know has been excluded for a period of time which is not satisfactory, but the conditions of that, my hands are tied because at the moment we are waiting for the report from Verita. The doctor went to the Royal Court to stop the process and that was granted. The other doctor is going through policy as set down.

#### **3.8.3 Deputy D.J. De Sousa:**

Can the Minister inform the House of all levels of suspension and restrictions within her department and what steps have been taken to decrease these and sort these out?

#### **The Deputy of Trinity:**

There are a lot of steps taken because it is not a process that we do lightly, and continued professional development plays an important part as well as support with

the line management and occupational health. As I said, it is the last thing really. We want to, if it is necessary, restrict and find out the reasons why before there is any form of suspension.

**3.8.4 Deputy A.E. Jeune of St. Brelade:**

Could the Minister explain if there is consideration to relocating staff to another department rather than excluding or, more particularly, suspending if the circumstances suit rather than the employee receiving pay for not working at all?

**The Deputy of Trinity:**

Yes, I am sure it is the case, but it is very difficult to generalise because each case is examined in its own right and if there are other areas that, by relocating or whatever, can be a way of supporting that employee and the reasons I have stated, I am sure that is taken into account.

**3.8.5 Deputy R.G. Le Hérissier:**

Has the Minister been able to exercise any influence, certainly not over the substantive issues, but over the way that cases are handled or do cases simply disappear into a void from which they re-emerge at some time never known to anybody? Is she able to be reassured that cases are handled in a proper, paced and realistic way?

**The Deputy of Trinity:**

I do get monthly updates or even more frequent if I need to and the staff have been very open with the reasons why.

**3.8.6 The Deputy of St. Martin:**

I am sure the Minister agrees with me that there is no way that anyone should be circumventing the system just to avoid the inevitable and some have got to be suspended, but recently the States approved a system whereby after a month and no disciplinary hearings or proceedings are to take place whereby a suspended person may attend before an independent panel to have their continuation of their suspension considered. Is the Minister in a position to advise Members whether the doctor in fact ... I know one has been for 3 years, but there is a doctor who has been suspended now for 8 months; would the Minister be aware whether that doctor has been able to go before this new panel?

**The Deputy of Trinity:**

I do not know the answer to that, but I will ask and come back to the Deputy.